

VOLUME 77
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

8390

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

Criminal Case No. 81-306

JOHN W. HINCKLEY, JR.,)

Morning Session

Defendant.)

Washington, D.C.

Thursday, June 17, 1982

The above-entitled action came on for closing arguments before the Honorable BARRINGTON D. PARKER, United States District Judge, and a jury duly sworn and empaneled, in Courtroom No. 19, commencing at approximately 9:54 a.m.

APPEARANCES:

For the Plaintiff:

STANLEY HARRIS, ESQUIRE
United States Attorney
2800A United States Courthouse
Washington, D.C. 20001
(202) 633-1706

M. EUGENE OLSEN, C.S.R.
OFFICIAL REPORTER, U. S. DISTRICT COURT
UNITED STATES COURTHOUSE
WASHINGTON, D. C. 20001

(202) 755-1920

APPEARANCES (Continued:)

For the Plaintiff (Continued):

ROGER M. ADELMAN, ESQUIRE
Assistant United States Attorney
4401 United States Courthouse
Washington, D.C. 20001
(202) 633-4911

ROBERT CHAPMAN, ESQUIRE
Assistant United States Attorney
4401 United States Courthouse
Washington, D.C. 20001
(202) 633-4936

MARC B. TUCKER, ESQUIRE
Assistant United States Attorney
7337 United States Courthouse
Washington, D.C. 20001
(202) 633-1005

For the Defendant:

VINCENT J. FULLER, ESQUIRE
GREGORY B. CRAIG, ESQUIRE
LON S. BABBY, ESQUIRE
JUDITH A. MILLER, ESQUIRE
Williams & Connolly
839 - 17th Street, N.W.
Washington, D.C. 20006
(202) 331-5036

(Defendant Hinckley present.)

MORNING SESSION

9:54 a.m.

THE DEPUTY MARSHAL: United States of America
versus John W. Hinckley, Jr., Criminal No. 81-306.

Mr. Harris, Mr. Adelman, Mr. Chapman and Mr. Tucker
represent the Government.

Mr. Fuller, Mr. Craig, Mr. Babby and Ms. Miller
represent the defendant.

MR. ADELMAN: Ready, Your Honor.

MR. FULLER: Ready, Your Honor.

(Whereupon, at 10:02 a.m., the jury entered
the courtroom.)

THE COURT: Good morning members of the jury.

THE JURY: Good morning.

THE COURT: Now, this morning you will hear the
final argument of counsel and just a word as to the procedure.

The prosecution, as represented by Mr. Adelman,
will address you on two occasions. Mr. Fuller, who represents
the defense, will only address you one time.

And the difference is that Mr. Adelman, the prose-
cution, has the burden of proof on the substantive crimes as
well as on the issue of responsibility, mental responsibility.

And since the prosecution has the burden of proof,
he is entitled to make an opening argument as well as a
rebuttal argument.

1 I remind you and I will develop it at a later
2 point in the instructions that the arguments of counsel is
3 not evidence in the case. It is only the comment of the
4 reaction that they have as to the evidence. You don't have
5 to accept the version of the testimony or the evidence as
6 they put it to you.

7 It is left with you to resolve what the evidence,
8 what the facts are.

9 Very well, Mr. Adelman.

10 MR. ADELMAN: Thank you.

11 If it please this Court, members of the jury.
12 He said, "I'll never have a better opportunity." This is the
13 man that said that, John Hinckley. When did he say that?
14 March 30, 1981. He reported that he said that as he stood
15 there with a gun in the hand, this gun which we now have in
16 evidence. "I'll never have a better opportunity," he said.
17 And he told Dr. Johnson that on April 3, 1981, within the same
18 week of the shooting.

19 This is the man who shot four people down in the
20 street and said, "I'll never have a better opportunity."
21 This is the man whose defense has been, so we understand it,
22 that he is not criminally responsible for the crimes.
23 "I'll never have a better opportunity," he said.

24 The evidence shows there is no dispute -- it is
25 on videotape -- this man shot down in the street Jim Brady,

1 the bullet in his brain. Tom Delahanty, a bullet in his back.
2 Tim McCarthy, a bullet in his chest. President Reagan, a shot
3 close to his heart lodging in his lung.

4 I bring that up to you because it has been some
5 time since we have heard anything about that. And I bring it
6 up to you because it is important. I bring it up to you
7 because this indictment, which you will take a look at when
8 you deliberate charges, 13 crimes, all of which relate to
9 the events I've just described. All of them. I bring it up
10 to you because you sat through days and days and days of
11 defense testimony in this case, you didn't hear anything about
12 what I just brought up to you; did you?

13 And as I discuss this case with you this morning
14 I'll show you why you didn't hear anything from the defense
15 about that. They don't want to deal with that. That is the
16 evidence, that is the facts, that is reality. We have heard
17 from the defense something else. Psychiatric influences,
18 flow of thought, delusions, fantasies. It is not evidence
19 you should consider in this case.

20 Now, as His Honor said, this is closing argument
21 and indeed it is. But I really don't want to argue to you or
22 with you. I don't want to give a speech or lecture. I want
23 to talk to you about the evidence. And to do that, of course,
24 we will have to review the evidencem and I want to do that with
25 certain things in mind.

1 Number one, I ask you to employ your common sense
2 in this case and I think that is necessary here in light of
3 a lot of the testimony we have had to cite one example of
4 Dr. David Bear of Harvard and I'm going to talk about him a
5 little later. There is a world of difference between
6 Dr. David Bear and what your common sense teaches you.

7 Secondly, I'm going to talk about the evidence.
8 Evidence. Pictures, diagrams, statements of Mr. Hinckley.
9 Psychiatric examinations that reveal evidence.

10 I'm going to do that because that is the basis
11 upon which you must decide the issues in this case. I'm
12 going to ask you to sort of put one and two together and
13 draw fair conclusions from the evidence. That is all the
14 Government asks you here. You don't have to guess or
15 speculate or develop theories or hypotheses or psychiatric
16 inferences or anything like that.

17 As I said before, and finally I'm going to discuss
18 March 30, 1981 in great detail. That is what I plan to do.
19 You will hear counsel for the defense. Listen. When you hear
20 counsel for the defense about how much discussion there is
21 about the events shown in this picture Government Exhibit 24,
22 March 30, 1981.

23 Keep that in the back of your mind. As I said,
24 I don't want to talk to you about Mr. Hinckley's third grade
25 experiences, psychiatric influences, stream of consciousness

1 and the like, because that really doesn't deal with the
2 reality of what is shown in this picture.

3 Now, what are the issues here? The issues, of
4 course as I mentioned, start with the crimes in question. It
5 is undisputed, as I said, beyond question that Mr. Hinckley
6 shot four people and not just with this little weapon, with
7 ordinary bullets, but with Devastator bullets. That's impor-
8 tant. Why? He had six Devastator bullets and there is no
9 question, I submit to you, that he picked and purposely put
10 six Devastator bullets in that weapon. Why is that important?
11 Many of these crimes involve the intent to kill. His Honor
12 will instruct you about that.

13 Can there be any question that this man has
14 specific intent to kill Ronald Reagan on March 30, 1981, when
15 he walked up there with a gun loaded with Devastator bullets.
16 Can there be any serious question about that? You don't
17 put Devastator bullets in a gun to commit suicide. You
18 don't put Devastator bullets in the gun to attract the
19 Secret Service and you don't put Devastator bullets in a
20 gun to impress Jodie Foster. You do that to kill someone.

21 Listen to the testimony we had from the doctors
22 about what these Devastator bullets did. The doctors that
23 operated on Mr. Delahanty came in to describe the impacts of
24 the Devastator bullet in his back. Dr. Kobrine took the
25 stand and told you that he had to search through Jim Brady's

1 brain to find fragments. Can you imagine that?

2 President Reagan got hit with a Devastator bullet
3 that exploded, I think. Tim McCarthy got hit with a
4 Devastator bullet. I bring that up because you are not going
5 to hear from the defense about that, I'm confident. And I
6 bring that up because it shows, does it not, the specific
7 intent to kill, which is part of the crimes in this case.

8 Likewise, we talk about the crime. You haven't
9 heard about this in a while because, of course, the defense
10 has been presenting their evidence. You heard about it
11 when Dr. Johnson testified and you heard about it when
12 Dr. Dietz testified and you heard about it when all the
13 Government lay witnesses testified, but you didn't hear about
14 it when the defense presented evidence.

15 The sequence of the shooting is very important
16 when you consider the intent to kill. First shot hit
17 Mr. Brady. Second shot, Mr. Delahanty. Third shot went high,
18 didn't hit anybody, hit the building across the street.
19 Fourth shot hit Agent McCarthy in the chest. We have a
20 picture of that. (Displays exhibit.)

21 Fifth shot hit the window of the car and the sixth
22 hit the President. If this man didn't have any intend to kill,
23 why would he continue shooting. Why wouldn't he stop after
24 the first shot? If the man didn't have the intent to kill
25 President Reagan why would he keep moving the weapon from left

1 to right, (indicating), as if, tracking the President? Why
2 would he do that?

3 If this man didn't have intent to kill, just
4 shooting at the car, as he tried to have some of the poor
5 psychiatrists believe, why would he shoot six times? The
6 trigger works when you pull it. It is a physical act. It is
7 an intent to kill. Doesn't that picture show you without
8 any question the specific intent to kill President Reagan.
9 Not a car. Not a limousine or anything else.

10 Let me remind you of one principle of law and I'm
11 not going to talk about the law. That is for the Court. I
12 talked about the intent to kill President Reagan.

13 There are also charges in this indictment with
14 respect to the intent to kill the other victims. Listen
15 carefully when the Court tells you about the law and
16 transfer of intent.

17 You will be told if you find there is an intent
18 to kill President Reagan you can, if you determine to do that,
19 you can determine that the intent to kill was transferred to
20 the other three victims. I bring that up because you may
21 wonder how can he be charged with the shooting and intent to
22 kill the other three victims? I suggest to you and the law
23 will show that it is a perfectly legitimate charge and you
24 may find, and I argue you that you should, that he intended
25 to kill President Reagan and that applies to the other three

1 victims, McCarthy, Delahanty and Brady.

2 As I told you before, and I have to remind you again,
3 since the defendant has taken all this time to present their
4 evidence as they have a right to, this was an act that wasn't
5 really spontaneous. I suggest to you it is premeditated.

6 He stalked this man, two Presidents. Jimmy Carter
7 in October of 1980. President Reagan, we now learn he
8 allegedly stalked at the Blair House downtown in Washington
9 in December. He target practiced. Look at these targets
10 and you will have all of this evidence to consider for your
11 own benefit.

12 What is he target practicing for? To kill himself?
13 You don't need to target practice to kill yourself. What is
14 he target practicing with different caliber ammunition for?
15 To pick the best weapon, the deadliest weapon. He found it.
16 A .22 loaded with Devastator bullets.

17 It was also planned and premeditated in that he
18 practiced, he thought about it. Dr. Dietz told you of his
19 interest in assassination and I'm going to talk to you about
20 that a little later. His interest in fame. His interest
21 in famous crimes. Even Dr. Goldman, good old Dr. Goldman,
22 who I'll discuss later, said Mr. Hinckley admitted to him
23 that he had thoughts of assassinating President Reagan as
24 early as December of 1980.

25 I'm saying this to you to show you that this wasn't

1 a wild,thoughtless, out of control act by a man who couldn't
2 control his behavior. In fact, at 1:45 when Mr. Reagan arrived
3 old Mr. Hinckley is standing there. There he is (indicating
4 exhibit). And he doesn't shoot then. He waited for the best
5 shot.

6 Dr. Johnson told you the other day Mr. Hinckley,
7 in her judgment, Mr. Hinckley waited for the best opportunity.
8 At 1:45 it was not the best opportunity because the evidence
9 shows us, does it not, that Mr. Reagan's limousine was pulled
10 close to the Hilton. Mr. Hinckley didn't have a good shot.

11 Secondly, the evidence shows Mr. Hinckley admitted,
12 and it is in writing in the record, during the period of time
13 when the President was in the hotel he said, "Should I do
14 it? Should I not?" He is thinking, deliberating, planning,
15 if you will. What is the "it"? Buy a soda? Go to the
16 bathroom? No. Shoot the President.

17 He decided to do it. And when the time came to
18 shoot him, he said, according to Dr. Johnson as he held the
19 weapon, "I'll never have a better opportunity." And here
20 it is. Government Exhibit 23 shows the President leaving the
21 hotel. You don't see Mr. Hinckley because he is right behind
22 Mr. Delahanty. You will have a chance to look at all these
23 in the jury room, but you can see he has got the opportunity.
24 And isn't it interesting, members of the jury, when you look
25 at that videotape, and if you would like, we will provide it

1 for you. It is in evidence.

2 When you look at the videotape you see a Secret
3 Service agent walks right up to Mr. Hinckley and turns to the
4 left and it is at that point, after the agent turns his
5 back away that Mr. Hinckley pulls out the gun and first.

6 Appreciate wrongfulness of his conduct and
7 conform his behavior to the requirements of the law? You
8 better believe it. This man was out of control or in a frenzy?
9 Why wouldn't he pull the gun and start firing right away.
10 Would he be able to shoot as accurately as I described he did?
11 Would he be able to hit four people with eight shots with a
12 .22? That is what I mean by common sense. That is what I
13 mean by common sense.

14 Finally, it is important to remember the choice
15 of weapon here indicate that he had to be near the victim.
16 Twenty feet was the range. You can see by the pictures,
17 the President was no more than ten or 15 feet away.

18 Now, everything I'm going to say here after this
19 morning and this afternoon has a foundation on these facts of
20 the crime.

21 I want you to keep that in mind because this
22 indictment doesn't talk about anything else than March 30, 1981,
23 or anything else than is depicted in this evidence. He is
24 not charged here with being sad at Christmas. He is not
25 charged here with going to the Dakotas Apartment building in

1 New York in February. He is not even charged here with
2 stalking President Carter in Nashville or President Carter out
3 in Dayton. He is charged with 13 crimes that happened at
4 2:20 p.m. on the 30th of March.

5 That's the issue in this case and let us see as
6 the day progresses how much the defense tells you about that.

7 Now, crimes in this case as charged by the Court,
8 are the merits you have to determine. The offense is allegedly
9 that of criminal responsibility. And I think when we talk
10 about that and I believe several things should be made clear
11 right from the beginning.

12 That question, criminal responsibility, has two
13 parts. I think you have heard every witness questioned about
14 the two parts. It is important that you know that because
15 part one has to do with whether the man had a mental disease
16 or defect. Mental disorder as the doctors call it.

17 Well, Dr, Johnson told us the other day that on the
18 question of criminal r-sponsibility you have to decide two
19 parts. Not just one. Why is that important? Well, good old
20 Dr. Carpenter, who made a visit yesterday again, is typical
21 of the defense presentation because all he is concerned about
22 is part one. Why? Is he an evil man? No. I can't suggest
23 that to you. I can suggest to you he is a very serious man,
24 but very inexperienced and simply not in his field because
25 forensic psychiatry has to do with part one and part two.

1 What is part two? As the law will be described by the Court,
2 it is as to whether his ability to appreciate wrongfulness
3 or conform his behavior to the requirement of the law was
4 substantially impaired. The defense never bothered to deal
5 with that question. Why? Because they can't. Because they
6 can't. All these doctors' CAT scans, delusion, fantasies
7 and everything else. Miles away from that question.

8 But I bring it to your attention because the Court
9 is going to instruct you with respect to part two.

10 The other thing I'd like to make clear. The evi-
11 dence shows, and the Government doesn't contend otherwise,
12 that on March 30, 1981, Mr. Hinckley had mental disorders.

13 But the evidence clearly shows Mr. Hinckley was
14 criminally responsible under part two. Yes, it shows the
15 Government's evidence now and when I ask your common sense
16 to accept is that on that day, as Dr. Johnson told us,
17 Dr. Dietz told us, and for that matter Dr. Hopper, he had
18 certain personality disorders.

19 Well, now, does that mean he is not responsible?
20 No way. The question is whether that substantially interfered
21 with his ability to appreciate or conform. All the doctors
22 who testified on that score for the Government, Dr. Dietz
23 and Dr. Johnson said they did not. Dr. Johnson pointed out
24 to you that the mere existence of a mental disorder doesn't
25 mean that you are not criminally responsible.

1 These disorders that the Government doctors
2 testified they found in Mr. Hinckley and Dr. Hopper indicated
3 as well. What are they? Personality disorder. Are they
4 severe mental disorders? They could be. Were they
5 severe in Mr. Hinckley? No, they were not. What are
6 personality disorders? They don't make you out of contact
7 with reality. Not delusional and things that hundreds of
8 thousands of people have. I think we all had a laugh when
9 Dr. Dietz said that this narcissistic personality even applies
10 to some doctors. We didn't count noses on that one, but I
11 think we could all put it on some of the psychiatrists.

12 I don't mean to demean psychiatrists or doctors.
13 I'm trying to show you that the diagnosis of Mr. Hinckely
14 doesn't meet the qualifications. But the Government doctors
15 say, and clearly I think the evidence supports that whatever
16 disorders were certainly not severe ones.

17 Let me put it another way. There is a whole
18 spectrum of mental disorders. There is a whole spectrum of
19 physical disorders. If you have the sniffle and a head cold
20 that is one thing. If you have double pneumonia, you have
21 trouble. I'm not trying to equate the two, but I'm trying
22 to let you know, as the evidence shows, there is a considerable
23 spectrum, and Mr. Hinckley certainly, by the evidence that
24 I believe and we suggest is credible, it is not evident that
25 he had any serious mental disorder on that day.

1 Now, the defense. Let me talk for a moment about
2 what the defense is offering on this score. And I think the
3 best place to start is to make you aware of the fact that
4 you will be instructed with respect to what issues you must
5 decide. You must decide under the law whether on March 30,
6 1981, at the time of the crimes charged Mr. Hinckley was
7 criminally responsible.

8 Isn't it interesting right from the opening
9 statement of the defense Mr. Fuller stood up. You didn't
10 hear about March 30, 1981. You heard about fantasies,
11 Mr. Hinckley's background, mother, father, parents, family,
12 good people. Texas Tech., writing, all these things. Jodie
13 Foster. You didn't hear anything about March 30, 1981.
14 You heard from the parents briefly. They testified. Let's
15 point out a couple of things. Remember, I told you that
16 March 30, 1981 is going to be the anchor in what I have to
17 say. Let's begin to do that.

18
19
20
21
22
23
24
25
End D

Ojmd

1 Mr. Hinckley, Sr. testified Mr. Hinckley, Sr. never
2 saw his son on March 30, 1981 and, jury members, Mr. Hinckley,
3 Sr. never saw his son for the entire month of March, 1981
4 except two hours at the airport in Denver on March 7, 23 days
5 before.

6 Mrs. Hinckley testified. Jury members, Mrs.
7 Hinckley never saw her son on March 30, 1981. The last time she
8 saw him was on the way to the airport on the 24th of March
9 for an hour. The last time she saw him before that was
10 periodically during that two and one half weeks when he was
11 at the Golden Hours Motel. You see, that doesn't relate
12 directly to March 30, 1981, does it?

13 Well, now, the sister and brothers testified, Scott
14 and Diane Sims, about John Hinckley. Scott Hinckley never saw
15 him during the entire year of 1981 before March 30, never
16 laid eyes on him. I think he saw him at Christmas was the
17 last time. I believe that is true of Diane Sims, too.
18 In fact, Scott, as far as we can tell, probably saw him just
19 at Christmas every year for the last five years. Does that
20 help you decide the question of what Mr. Hinckley's mental
21 condition was and criminal responsibility was on March 30,
22 1981? Does Diane Sims help you on that score?

23 I believe she had a baby in the latter part of
24 January. She was busy with that and, incidentally, this man
25 who we are told is in a frenzy, psychotic, and so forth when

EOjdm
a.2

1 she had the baby, what does he do? He calls her up and is
2 happy, appropriate behavior, the psychiatrist says. This
3 is a man who had contact with reality? This is a man who
4 can't conform his behavior to the requirements of the law?

5 The family offers nothing of meaning on the
6 questions that you have to decide.

7 Who are the other defense witnesses?

8 Well, Dr. Hopper, Dr. Goldman, and so forth. You
9 know Dr. Goldman talked for several days, I believe. I didn't
10 keep track. I hope you did. And all during that time it
11 wasn't until the very end of his testimony we began to get
12 any information about March 30, 1981, and it came and went
13 so far, if you blinked your eye, you wouldn't have heard about
14 it.

15 That is the same with Dr. Baer. Dr. Baer told you
16 everything about himself and all his articles and so forth,
17 but we didn't hear about March 30, 1981 nor did we hear about
18 that in any detail from Dr. Prelinger, nor did we hear about
19 that in any detail from Dr. Carpenter on direct examination.
20 You notice on cross-examination Government counsel asked
21 these doctors about that. It is like pulling teeth, wasn't
22 it? Tell us about whether he could appreciate wrongfulness
23 at the time of the crime. Tell us about whether he knew what
24 he was doing. Tell us about why he loaded the gun and we
25 got some very interesting answers, didn't we?

EOjmd

1 Dr. Golden, for instance, cross-examination revealed
2 that Dr. Golden believed Mr. Hinckley. He said he picked
3 those six devastator bullets at random. Dr. Golden believed
4 that he had other bullets with him when he went to the shooting.
5 Dr. Golden believed he didn't know because he didn't bother
6 to find out that Mr. Hinckley only had six devastator bullets
7 with him, and he had 37 other bullets, and he picked six out
8 of 37, and you don't do that at random.

9 I don't know statistics, but I know common sense.
10 See what I am talking about common sense? That is what we
11 had to bring out on cross-examination.

12 Dr. Carpenter we had to bring out on cross-
13 examination never read the indictment in this case until the
14 Clerk showed it to him on the witness stand. The indictment is
15 Part 2, if you will, the embodiment of Part 2 of what you
16 have to decide. What help did Dr. Carpenter give you on that
17 score?

18 Well, Dr. Prelinger examined Mr. Hinckley twice.
19 Mr. Chapman asked him a series of questions that showed that
20 out of that 11 or 12 hours of examination giving him these
21 psychological tests and so forth, he talked about other things,
22 January, the year before, whatever. I think it came down
23 to 20 minutes that he even talked to Mr. Hinckley about March
24 30, 1981. Does that help you decide these questions?
25 Of course it doesn't.

EOjdm

1 And indeed it is Mr. Chapman on cross-examination
2 had to bring all of this out. How little this man knew about
3 the crime.

4 Dr. Johnson testified. Do you remember her cross-
5 examination? You see, this is the other side of the coin.
6 I am pointing out to you that the Government sought to bring
7 forth with you what these doctors could offer on March 30,
8 so we had Dr. Johnson. She is a Government witness. What
9 was her cross-examination about?

10 Did counsel stand up for two days and say what
11 happened at the time of the shooting? What happened on the
12 way to the Hilton? What did he do when he talked to Mrs.
13 Kondeah? Wouldn't you have appreciated that? What did you
14 get?

15 Dr. Johnson, half an hour of testimony on Mr.
16 Hinckley's behavior at Christmas, 1980. 20 minutes on John
17 Lennon. Now, that is interesting. No question about it.
18 It is not relevant to the issues of March 30, is it? 15
19 minutes on how Dr. Johnson takes notes. 40 minutes on Jodie
20 Foster. Almost two-thirds of an hour on Jodie Foster.
21 10 minutes on Listalot. All kinds of examination about his
22 autobiography for Dr. Hopper was back in October. How much
23 do you hear about March 30, 1981? Again, you could have
24 blinked your eye.

25 Dr. Dietz, you will remember, the other doctor

LEOjmd 1 called by the Government, a member of the Government
2 psychiatric team, Government-retained psychiatric team,
3 testified.

4 In his cross how much did you hear counsel for
5 defense. ask him about March 30, 1981? I don't recall
6 very much. I will leave it up to you. Why is this? Why
7 is this? It is obvious, isn't it? Your common sense tells
8 you why. Because they can't look this fact in the face.
9 They can't look this fact in the face. John Hinckley
10 shooting the President. They can't look that fact in the
11 face. See the question of responsibility, criminal
12 responsibility, and the defense simply doesn't want to deal
13 with it because the evidence, I submit to you, is clear,
14 direct, and overwhelming.

15 Another reason they don't deal with it, the doctors
16 on this score, is because other people we called in the case,
17 other witnesses, Government witnesses.

18 Now, I am going to talk about them a little bit,
19 but they are all people who saw Mr. Hinckley on March 30,
20 1981, and sometime before, in the month of March. One thing.
21 They are not doctors except for Dr. Bill Brownlee. I will
22 talk about him in a minute. They are ordinary people.
23 Why are they called? Well, to put it in a nutshell, they
24 haven't testified about what I have asked you to use,
25 common sense. You know they don't give any degrees up at

EOjdn

1 Harvard in common sense.

2 I think Dr. Baer demonstrated that.

3 They don't give them anywhere. You don't need to
4 get a degree in that. The way you get common sense, I
5 suggest to you, is you go through life and you rub elbows
6 with people, and you find out what is going on. That is why
7 these people testified. That is why these people offered
8 observations about Mr. Hinckley and how they observed him.
9 And that is why defense didn't deal with that.

10 What kind of cross-examination did you hear of any
11 of these people, the maid, Mrs. Kondeah, Danny Spriggs,
12 Eddie Myers, Mrs. Aucourt? Did anybody want to come from the
13 defense and go right up against them on March 30, 1981?
14 You can't do it. And I am going to talk about those
15 people a little later on.

16 I have indicated that there have been defense
17 doctors called here. Let me just tell you briefly some
18 matters that you should consider with respect to them.

19 I told you already, but let me back up.

20 A while ago there was an observation made in the
21 court. It is in the record. It is not the quantity of
22 testimony that counts, it is the quality. It is not a
23 rule of law. It is just a rule of common sense. So with
24 that in mind, let's talk about these defense doctors
25 who testified for three and one half weeks.

1 In fact, I am sure you probably welcome Dr.
2 Carpenter again here. You had probably forgotten who he was,
3 but after his appearance yesterday, I suggest there is no
4 way you can forget him and I will talk about him, too.
5 But nevertheless, the quality versus quantity.

6 What do we get from these doctors who testified
7 for the defense? One of them, Dr. Carpenter hadn't even read
8 the indictment, as I pointed out to you. One of these
9 doctors for goodness sake opened up the cookbook of
10 diagnosis and let Mr. Hinckley diagnose himself. You can
11 conclude Dr. Carpenter, not because he is evil, because he
12 is inexperienced. He is not on trial. Nobody intended to
13 put him on trial, but doggone, ladies and gentlemen,
14 you are entitled to the best evidence, the quality evidence,
15 and if an inexperienced doctor does something like that,
16 you have to take it into account.

17 Another one of these defense doctors said -- get
18 this. Get this. He said Mr. Hinckley waiting here. Is he
19 waiting for the President? How illogical.

20 What he should have done is run around the back
21 entrance and wait for the President to come out the back.
22 Who was that? Dr. Bear.

23 Now, I am not going to hold Harvard responsible
24 for that, but I will hold Dr. Bear responsible for that.
25 For goodness sake, what kind of an explanation is that?

EOjdm

e.7

1 I think you deserve better.

2 And when we talk about Dr. Dietz and Dr. Johnson,
jdm 3 I will show you why you got better.

e.8 4 Another doctor, as I have already pointed out
5 believed that Mr. Hinckley picked those six bullets at
6 random. And yet another of these defense doctors examined
7 Mr. Hinckley three weeks after the trial began, three weeks
8 after evidence was being produced for you. No ill motive
9 at all. I am not suggesting that. Good judgment. Of
10 course not. Why?

11 Well, going -- if you go down to the cell block
12 and talk with Mr. Hinckley while the trial is going on
13 after Mr. Hinckley says what the evidence is, are you going to
14 get accurate information? Dr. Carpenter -- excuse me, it
15 was Dr. Goldman who did that on the 13th and 15th of May
16 while you jury members were engaged in listening to this case.
17 He went down and interviewed Mr. Hinckley, and I believe he
18 talked to him in early May as well. The evidence had been
19 produced. We had heard Dr. Hopper, we had heard the family,
20 we had heard other people, and lo and behold, Mr. Hinckley
21 tells him things he never heard before. Starts describing
22 what these poems mean, starts telling him about the idea of
23 President Reagan standing in the way, and so forth and so
24 on. You heard the testimony.

25 Does that help you decide this question? Is that

MEOjmd 1 accurate information? Is that good psychiatric practice?
2 And in this case from a man, the only defense doctor who
3 even identified himself creditably, a forensic psychiatrist.
4 He is the only forensic psychiatrist in this case. Dr.
5 Bear would have you believe he is a forensic psychiatrist.
6 He has never done a forensic case before. Dr. Carpenter
7 admitted finally that he was not a forensic psychiatrist as
8 well.

9 Another point that these doctors indicated is that
10 Dr. Goldman suggested to you on cross-examination and in his
11 report. It says that he believed that Jodie Foster was some
12 kind of mother figure for Mr. Hinckley. Well, does that make
13 sense to you, common sense now? We are not writing textbooks
14 about this case. You are going to decide this case, I hope,
15 on your common sense, on what reality is. Do you think Jodie
16 Foster was a mother figure for John Hinckley? John Hinckley
17 didn't either. He never told Dr. Bear that. That is
18 Dr. Carpenter's interpretation. Dr. Goldman, excuse me,
19 Dr. Goldman's interpretation.

20 Dr. Dietz didn't do any interpreting like that,
21 did he? Dr. Johnson, she didn't do that, either, did she?

22 Remember how much they talked about the evidence?
23 Dr. Dietz had a bill of evidence, if you will, or records
24 as high as I am reaching here. Dr. Johnson as well. In
25 fact, you could hardly see Dr. Johnson if you were down at

MEOjmd

1 the end of the jury box she had so much stuff piled up in
2 front of her.

3 Now, I am not saying it is quantity over quality
4 here, but it shows they did their homework and they did it
5 for you in effect, because you are the ones that have to
6 decide this case.

7 And what did the defense doctors offer you? What
8 else did they do?

9 After their interviews or after their reports were
10 filed in November, after the Government's reports were filed,
11 628 pages with appendix, the defense doctors then go and
12 interview Mr. Hinckley for hours at a time separately, but
13 they interview him, and he starts telling them new and
14 interesting things.

15 John Hinckley indicated for the first time in
16 December, for instance, that he bought an Army jacket to be
17 like Travis Bickle. In March or April, I believe, he
18 starts telling Dr. Bear for the first time about his plans
19 with respect to kidnapping Miss Foster in detail. Do you
20 think that is accurate information? Every doctor who
21 testified acknowledged in some way, shape or form that
22 John Hinckley was manipulative. That is one of those
23 fifty cent words that I think needs a little explanation.
24 The evidence shows manipulation is curving things,
25 changing things, sometimes lying, and poor Dr. Carpenter

EO

11

1 can't even define a lie for you. Isn't that what Mr.
2 Hinckley was doing here after he had realized what the
3 Government doctors concluded after he realized what Dr.
4 Sally Johnson concluded, what did he feed his own doctors,
5 and I don't blame them at all, except bad judgment. No
6 malice, no evil, but bad judgment.

7 But I suggest to you you cannot rely on that bad
8 judgment.

9 It distorts the evidence. It distorts the truth,
10 and it jumps in the face of common sense.

11 None of these doctors ever bothered to look at the
12 video tape of the crime. Now, we had all kinds of
13 explanations, but did any of them watch? The video tape
14 shows what happened, and you see, this is what I said a moment
15 ago. This is exactly the point. March 30, 1981 at
16 2:25 is the real crucial issue here. These doctors don't
17 want to know that. Not because they are evil, because they
18 are inexperienced. Inexperienced. And you see the position
19 it puts them in. They don't deal with the evidence here.
20 They don't go review all of these documents and pictures and
21 video tapes and things like that. As a matter of fact,
22 they didn't even look at Taxi Driver until I think after they
23 completed their evaluations. They didn't interview the people
24 who saw Mr. Hinckley on March 30. The position that it puts
25 them in, members of the jury, is they have to rely on Mr.

EOjdm

e 12

1 Hinckley, and that is shaky. In fact, it would be very nice
2 when I say it is shaky. That is treacherous. Who was a greater
3 interest? Curving things around and making things appear
4 as helpful to him as Mr. Hinckley. You see the problem?
5 For instance, Dr. Carpenter early in his evaluation was
6 told by Mr. Hinckley straight in the face, right in that
7 little room, "I am going to blow Jodie Foster away, and when
8 I saw her up there in March, she turned and ran." Face to
9 face just like I am looking at you. Well, even Dr.
10 Carpenter figured out by the end of the examination period
11 that that wasn't true. Who knows what else John Hinckley
12 told Dr. Carpenter that wasn't true?

13 Another point. By relying on John Hinckley,
14 these doctors sort of cross polinated each other. Why?
15 Try as you might, Dr. Carpenter, he will probably come
16 back tomorrow again, if you let him, can't explain the fact
17 tht he sits down with Mr. Hinckley and suggests things to
18 him and he didn't do it because he is evil. Don't get me
19 wrong on that. He means well. It just doesn't mean he is
20 right. For instance, he said and his notes say and we had
21 him read them again yesterday. He buys the dea that something
22 is something. Who is selling? Dr. Carpenter. Who is buying?
23 Mr. Hinckley. He agrees that something is grandiose.
24 What does that mean? Well, Dr. Carpenter suggested it to
25 him. Dr. Carpenter clearly suggested the words, bit

4EOjdm

e.13

1 players to Mr. Hinckley. Do you remember that? Because
2 Dr. Sally Johnson reported in notes, I think they are
3 college -- Dr. Hilky made Mr. Hinckley himself says somebody
4 possibly Dr. Carpenter said Mr. Brady and Mr. Reagan were
5 bit players. An outrageous thought, by the way, from any
6 source that the President of the United States and a man shot
7 in the brain are bit players in this whole thing.

8 An outrageous though.

9 Now, you can see the problem, then, in relying on
10 John Hinckley, particular relying on John Hinckley when he
11 is talking to these defense doctors, and particularly
12 relying on John Hinckley after December of 1981.

13 Now, I am not saying John Hinckley lies all the
14 time because Dr. Johnson probed that, and I am going to talk
15 to you about how she dealt with John Hinckley later on, but
16 these defense doctors, I suggest to you, bought a lot lock,
17 stock, and barrel.

18 Another example Dr. Carpenter, Dr. Carpenter
19 told us he is an expert in schizophrenia, and indeed, he is,
20 but he is not a forensic expert in schizophrenia. He writes
21 books, he does research, and he writes articles, and we all
22 applaud him for that. Important work. But the problem is
23 if you don't do forensic work, you run into this difficulty.
24 Dr. Carpenter, the first time he went to see Mr. Hinckley
25 discussed schizophrenia. Well, now, Dr. Johnson reported

30Jdm
e 14

1 to you the other day that after Mr. Hinckley heard that, he
2 starts talking about schizophrenia. It is like any paper
3 you see. He picked it up. Not because Dr. Carpenter is
4 evil. He didn't think. He didn't think. He didn't know.
5 Dr. Carpenter opened that book back in October with all the
6 diagnoses. Of course, he didn't mean to tell Mr. Hinckley
7 what to say, but didn't it have the same result? You see
8 what a clever young man this individual is? You have heard
9 the testimony. He is intelligent. His I.Q. is well over
10 100, which is standard. He is not stupid. He writes, creates,
11 even plagiarizes Dr. Dietz. Can you imagine when he saw the
12 list of criteria, what he said to himself? He is not going
13 to tell Dr. Carpenter, "Hey, Doc, give me No. 4." He is a
14 little smarter than that. That is the danger. That is the
15 problem, you see, you have in this case with defense doctors.

16 Dr. Bear, for instance, he didn't even listen to
17 what Mr. Hinckley had to say he was so different, making
18 inferences and the like. I will talk about Dr. Bear for a
19 second. Now, as I said, we heard Dr. Bear testify
20 extensively and I want to point out a couple of things.
21 With all of these degrees and awards and prizes and indeed
22 they are impressive, that Dr. Bear received, you didn't hear
23 him tell you that he got one for common sense. He never got
24 one, did he, for being modest? You know there are two
25 witnesses in this case, two women, as a matter of fact, and

1 these women didn't go to Harvard and I didn't even think
2 they went to Yale, Mrs. Aucourt and Mrs. Kondeah, the maids
3 in this case. Compare them with this professor from
4 Harvard. They have got common sense, and they saw John
5 Hinckley. What did the maids tell you? I will talk about
6 Mrs. Aucourt a little bit later in detail, but she said
7 for goodness sake, he is an all-American boy. Didn't see
8 anything unusual and she lived next door to him now for
9 15 or 16 or 17 days. Miss Kondeah, of course, just had
10 brief contact with him. Obviously Miss Kondeah
11 isn't a psychiatrist, and I don't think Mrs. Aucourt is.
12 We didn't qualify her as an expert. These people have seen
13 life. Dr. Bear, well, again, a researcher scientist, but
14 not a forensic psychiatrist. I think we all wish, in fact,
15 that Dr. Bear had sat down with Mrs. Aucourt and sat down
16 with Mrs. Kondeah, you might have heard different testimony,
17 but then, again, knowing him, you might not.

18 The point is that again with Dr. Bear we have no
19 information on part 2 of this testimony. Indeed, when we
20 talk about part 1, he is all over the yard. He has gotten
21 more labels and diagnoses than I think there are in that book.
22 In fact, cross-examination revealed some of his aren't
23 even in the book. That doesn't help him. The label doesn't
24 make any difference. It is the facts, whether the man can
25 appreciate.

SHOWERS/GeoK

1 You notice the way he talks about facts, about these
2 so-called psychiatric facts. I never heard of that. I
3 don't think you did either.

4 The Judge will instruct you on the law and I will
5 tell you about evidence. There will be nothing in the evidence
6 about psychiatric facts.

7 I submit to you a psychiatric fact is what Dr. David
8 Bear decides he wants to conclude. That is not credible evi-
9 dence.

10 His psychiatric method is just to figure out things,
11 if you will, that he wants to talk about. Indeed, Dr. Bear,
12 as did the other doctors, say very little about March 30,
13 1981 and, as a matter of fact, I counted one time in the
14 beginning of his testimony where he talked about 31 minutes
15 and didn't say anything about Mr. Hinckley, for goodness sake.

16 What kinds of help do you get on the question of
17 criminal responsibility from a witness like that?

18 Now we heard from Dr. Prelinger, psychologist. He
19 really had brief contacts with Mr. Hinckley. He performed
20 a limited function. He gave psychological testimony.

21 Bear in mind he testified the psychological tests
22 do not serve in and of themselves to diagnose mental disorder.
23 They have to go along with the interviews and other information.

24 Secondly, he said -- and he told you that psychological
25 tests only determine what the person is acting like at the

1 time and not in the past.

2 Thirdly, of course, you know that Mr. Hinckley was
3 examined on the 15th of April and then on the 12th of September
4 with these psychological tests. Then Dr. Prelinger readily
5 conceded these tests don't give you information and don't
6 decide the question of criminality. They are tools, they
7 are aids. They are useful.

8 By the way, Dr. Sally Johnson said, "Sure we gave
9 Mr. Hinckley psychological tests. It is good practice."

10 What do they show? Consistent with the diagnosis
11 she gave: Narcissistic personality, narcissistic personality
12 and mixed personality disorder.

13 Does Dr. Prelinger know anything about the facts
14 of March 30, 1981? Does he really help you on these questions?

15 Again avoidance of Part 2, again the critical part
16 really of this case.

17 What is his defense, so-called defense, of insanity?
18 It is a loose term for it. There is so much here it is almost
19 like a smorgasbord defense.

20 The defense has four kinds of schizophrenics: "Taxi
21 Driver," "The Fan," sleep deprivation, Jod Foster, Jodie
22 Foster as mother figure, Dr. Goldman talking about Oedipus
23 complex, the CAT-scan, loss of identity. fantasies, John
24 Lennon and so forth. It is like the smorgasbord of insanity.

25 I am not trying to be facetious here. I am trying

1 to make a point. Mr. Hinckley has so many claims he really
2 doesn't have any at all, you see.

3 Why do you have to have all this stuff mixed up
4 like a mixed stew? Does it prove anything? Does it prove
5 anything to you about March 30, 1981?

6 I suggest to you it did not.

7 Well, now, what evidence did help you on that?
8 Where did that evidence come from? What shows that Mr.
9 Hnckley was criminally responsible for the crimes he was charged
10 with?

11 Well, ladies and gentlemen, that evidence began
12 as the Government called its first witness. That evidence
13 included all the evidence that showed how the crime was com-
14 mitted. The videotape and the like and, surprisingly, that
15 evidence continued in the defense case.

16 I submit to you that every defense witness, be it
17 from family member or the like, gave you evidence to show
18 that John Hinckley was responsible for these crimes and I
19 am going to tell you about it and it continued and concluded
20 finally with the testimony of the Government witnesses, the
21 lay witnesses and the doctors.

22 I have already told and, and I am not going to
23 go back over this ground, how the evidence with regard to
24 the crime itself shows Mr. Hinckley was able to appreciate
25 the wrongfulness of his conduct and conform.

1 The planning, prethought and the like.

2 What about the defense witnesses?

3 First of all, the family members, I will put them
4 in a group here. They described John Hinckley as having a
5 very good upbringing. He didn't commit any crimes as a
6 juvenile. He never ran away from home. He never did anything
7 of the sort.

8 John Hinckley led an ordinary American life. The
9 parents loved him. There is no question about that.

10 A brother and sister, who he respected and admired,
11 even envied. These people didn't offer any evidence that
12 he suffered a serious mental disorder.

13 Yes, they told you he was a loner. He was sad.
14 Dr. Dietz told you -- I think it was Dr. Dietz' testimony
15 on this point. Dr. Dietz indicated to you that loneliness
16 is perhaps the most common phenomenon in the United States
17 and depression or sadness probably runs No. 2.

18 All you have to do is turn on any radio station
19 and listen to it for half an hour. How many songs are you
20 going to hear about those themes? We are not trivializing
21 this, not a bit.

22 John was especially lonely. He was especially sad.
23 In fact, that special sadness -- well, it is now a dollar
24 term, I guess with inflation -- dysthymic disorder. That
25 is a Greek word that means "sad mood."

1 But these problems didn't prevent Mr. Hinckley
2 from functioning from day to day, did it? Mr. Hinckley didn't
3 want to work, but that wasn't because he was psychotic, but
4 because he wanted money from his parents, his sense of entitle-
5 ment.

6 Mr. Hinckley wanted to go chase after Jodie Foster.
7 That is not because he was delusional or delirious. It was
8 because he had the time to do it. Nobody made him work.
9 He didn't have it.

10 You know, look at those charts (indicating), Mr.
11 Hinckley flying all over the United States. This man is not
12 a drifter or a loner stumbling around some little town in
13 Nebraska running into fence posts. He is flying United Airlines,
14 he is flying American. He took the limousine, if you will,
15 on March 6, 1981 from New York to Newark Airport. This is
16 probably enough miles there to qualify for the 10,000-Mile
17 Club in some of these airlines.

18 Did you ever hear any evidence that Mr. Hinckley
19 didn't have the ability to make the airline connections,
20 to travel around and do what he wanted?

21 This chart proves one thing, that John Hinckley
22 was -- even you and I have trouble getting through United
23 and doing things we have to do to get around. This doesn't
24 prove Mr. Hinckley is mentally disordered. It also proves,
25 by the way, he is very interested in Jodie Foster, just like

1 any other fan would be. Just like any other young man with
2 a fantasy.

3 These aren't mental defects. An obsession is not
4 that either.

5 Now I indicated to you that the Government evidence
6 had several parts, and let me begin by talking about the lay
7 witnesses.

8 I call them that so we can distinguish them from
9 the doctors and the other people who have to testify here.
10 These are critical people. They say they are ordinary people,
11 but the most important thing is they actually saw John Hinckley
12 at the time that is important to you.

13 Now the people on March 30th that saw John Hinckley
14 saw him collectively from 1:15 in the afternoon up until
15 10:20 at night. I think that is somewhat over nine hours --
16 you correct me -- but it is about nine hours and 5 minutes.

17 And the important thing about these witnesses is
18 they don't know each other. Mrs. Kondeah doesn't know Dr.
19 Brownlee. Eddie Myers didn't know Danny Spriggs. Agent
20 Quilia doesn't know Dr. Brownlee and so forth. They don't
21 know each other, but they all testified to essentially the
22 same thing.

23 Isn't that interesting? Isn't that significant"
24 Isn't that telling, you see?

25 They all tell you things and I am going to go

1 into that in a little detail in a moment. These people aren't
2 psychiatrists and I suggest to you it may be better that they
3 are not. It really might, because these people bring to this
4 courtroom, to this jury, to this decision that you have to
5 make the observations that you yourself want to make or could
6 make if you were there.

7 If you up there on the scene of the shooting or
8 at the FBI or where Mr. Hinckley was in the hotel and somebody
9 said to you, "Figure out what this guy is going to do. What
10 is going on?" you would want to be in the position of Mrs.
11 Kondeah, Danny Spriggs, Agent Myers, Dr. Brownlee. These
12 are critical witnesses. These are the witness, by the way,
13 that none of the defense doctors talked to or even take into
14 account.

15 Now, why are they important? They contradict all
16 the theories that we have heard from the defense doctors.
17 Do you remember the "frenzy idea"? Mr. Hinckley was in a
18 frenzy.

19 I think Dr. Carpenter promoted that. Did Mrs. Kondeah
20 report anything about a frenzy? If he was in a frenzy, he
21 would have been falling over the floor. He is standing there
22 drinking a coke.

23 Did Eddie Myers or Agent Spriggs say that? No.

24 We were told by Dr. Carpenter about his "inner
25 world." Oh, boy! You know who put to rest the "inner world"?
Mrs. Aucourt.

1 Do you remember her out in Colorado? She didn't
2 find any "inner world" and, of course, she is not a psychiatrist.
3 She has common sense. And if this man was functioning with
4 psychotic behavior or whatever, as Dr. Johnson pointed out
5 the other day, she would be able to pick it up -- not Dr.
6 Johnson, Mrs. Aucourt.

7 All the other lay witnesses, too.

8 As I said before, there is no question that Mr.
9 Hinckley, according to the Government evidence, had personality
10 disorder. There is no question according to the Government
11 evidence that he had the ability to appreciate and conform
12 his behavior.

13 Do you remember the testimony about Mr. Hinckley
14 having a compulsion, being in a psychosis? None of the witnesses
15 report anything like that.

16 We heard from one of the doctors, defense doctors,
17 about sleep deprivation. Mr. Hinckley was sleep-deprived.
18 Where did the defense doctor get that information? Where
19 did they find that out?

20 I think you know the answer. John Hinckley. You
21 see, John Hinckley sat there and told them, "Oh, my God, I
22 tossed and turned all night." 13 hours in bed. Can you
23 imagine beign in bed 13 hours and not sleeping a wink?

24 On his bus trip John Hinckley said, "I didn't sleep
25 much at all, for goodness sake," Dr. Carpenter testified.

1 Another proximal witness -- his name is -- Parke
2 is the fellow that rode cross-country with Mr. Hinckley. He
3 said he and Hinckley both slept -- not too well, because you
4 can't do that on a bus.

5 Better than that, all of the proximal witnesses
6 on March 30th say he didn't appear sleepy, didn't appear tired.
7 And that includes a medical doctor, Dr. Brownlee, and I will
8 talk about him in a minute.

9 Again take a look at the picture of Mr. Hinckley
10 standing in front of the Hilton Hotel or at the side. This
11 is the man who is supposedly sleep-deprived and so forth.

12 Likewise, none of these witnesses tell you anything
13 about Mr. Hinckley appearing to be under the influence of
14 drugs or alcohol. You see, there is a claim some of the
15 doctors say in the defense of Dr. Hinckley, say he was "high
16 on Valium at the time." What is the evidence of that?

17 There is simply none except for Mr. Hinckley.

18 Let me talk briefly about some of these lay witnesses
19 because they are important.

20 Mrs. Aucourt, first of all. Who is Mrs. Aucourt?
21 Well, she is the mother of four children. And as I am going
22 to point out to you, mothers know.

23 Secondly, she is a next-door neighbor. And as you
24 might know, next-door neighbors tend to know things, too.
25 You remember she lived in the room next-door to Mr. Hinckley.

1 She is not a casual observer. She didn't pass him on the
2 street on the way to 711 or McDonalds. She saw him every
3 day.

4 Granted they talked for 10 or 15 minutes about
5 general topics. Counsel said, "What did you talk about?"
6 She said, "We talked about Mr. Hinckley being from Dallas,"
7 which he was originally.

8 Of course he lied to her about that, too.

9 About the weather, about music, something called
10 "picking and grinning." I am not familiar with that, maybe
11 you are. About looking for a job and selling his guitar
12 and things of that sort. Common, ordinary things.

13 Counsel got up and said, "Mrs. Aucourt, didn't probe
14 his inner world." You can't expect these people to be talking
15 about the London stock market out in Evergreen, Colorado.
16 They did what ordinary people do. They talked about ordinary
17 things.

18 Compare with what she had to say with Dr. Bear,
19 who told you Mr. Hinckley was in this world of fantasy and
20 frenzy all during this time.

21 Besides all of this, Mrs. Aucourt doesn't have any
22 ax to grind with Mr. Hinckley. In fact, the evidence shows
23 she invited him to a spaghetti dinner the night he left,
24 without paying the bill.

25 She liked him. And, as I said, she reported important

1 evidence that contradicts the theories of the defense.

2 First of all, she said he was just normal. She
3 described him as an all-American boy. I think that really
4 says it all for Mrs. Aucourt. She said Mr. Hinckley never
5 appeared to be depressed. He wasn't even particularly with-
6 drawn from people in that whole time.

7 You have to remember we are in Washington. Out
8 west you have to conclude people lead their lives different.
9 There is more space. They want to be left alone.

10 What she was saying, that in Colorado it is not
11 uncommon for people to be withdrawn. She said he didn't appear
12 to be depressed.

13 Well now, she is not a psychiatrist. She can't
14 make that conclusion. She is a mother and I suggest to you
15 that mothers know. They have an instinct. They have a sense
16 and I can't argue that she was John Hinckley's mother or
17 anything of that sort, but, in fact, she raised four little
18 ones; in fact, she was still doing it at that time.

19 John Hinckley came into that little family network.
20 He talked to Stacey, taught the little seven- and eight-year-
21 olds how to jump down the stairs. This is a man that is
22 supposed to be schizoid, a loner, can't make associations
23 with people.

24 Does that make any sense to you?

25 Furthermore, as I say, she has got sense. She has

1 the sense of a person who protects her family and if you
2 can or can you think that if Mr. Hinckley appeared seriously
3 disordered or depressed, that this woman, as we have seen
4 her, wouldn't have done something about it?

5 No such evidence. Again not one of the defense
6 doctors talked to her. Not one of the defense doctors took
7 into account anything she had to say.

8 Finally, with respect to her, I think this is very
9 interesting. Old Dr. Goldman -- this probably sums up the
10 whole defense approach in a nutshell. Dr. Goldman told us
11 under oath John Hinckley fired a gun, as he was practicing
12 like Travis Bickle in the Golden Hours Motel in Colorado,
13 bang!

14 "Who told you that, doctor?"

15 "John Hinckley."

16 The defendant, John Hinckley. Goldman wrote it
17 down.

18 What did Mrs. Aucourt say? "Nobody fired any gun
19 when I was there, when John was there. There weren't any
20 holes in the wall when I was there."

21 Isn't that the end of it? I suggest to you that
22 is the end of Dr. Goldman because if that is the kind of
23 information he is going to rely on, how can you accept anything
24 he says in conclusion?

25 He is not an evil man, Dr. Goldman. He made a

1 mistake and I suggest to you it is not a mistake a forensic
2 psychiatrist should or could make.

3 Mrs. Aucourt said she never saw Mr. Hinckley lie.
4 She said he was very neat. Do you remember she cleaned his
5 room and that is unusual.

6 Now again she was the maid, not the mother, but
7 she picked up, but there wasn't much to pick up.

8 Now if this man is disordered and in a psychosis
9 and delusional and all of that business, don't you think that
10 she wouldn't report that the room was neat? If this man was
11 all interested in Travis Bickle, for instance, don't you
12 think there would be an Army field jacket in there? She
13 saw none. He didn't have any.

14 What does that tell you about Mr. Hinckley, that
15 his room is neat? Well, you can't conclude everything from
16 that, but it is one of those pieces of evidence that I think
17 is suggested. His life was ordered and structured and
18 so forth and so on.

19 I think Dr. Bear told you -- and Dr. Carpenter --
20 that Mr. Hinckley during the time he was in the hotel he
21 spent all day in the room with the blinds drawn. You heard
22 that "My goodness, this man has a problem."

23 Well now, we found out first on cross "Where did
24 that come from?" "Mr. Hinckley." It only could come from
25 Mr. Hinckley by the way these doctors do business.

1 Secondly, Mrs. Aucourt tells us about that. What
2 did she tell you? He went out every day. She cleaned his
3 room. Most of the time he was out pretending to look for
4 a job.

5 Who knows what he was doing? Drive around in his
6 car. He wasn't in his room all day. He wasn't wrapped up
7 in fantasies. He wasn't driven.

8 There is simply no evidence. Besides, all of this
9 we are told by the defense doctors that this man was obsessed,
10 deluded or whatever with Jodie Foster.

11 Dr. Dietz, I believe, testified that for somebody
12 in that situation with an obsession, he can't help talking
13 about it. Did he say one word to this woman whom he obviously
14 liked, probably trusted, about Jodie Foster. Did he say
15 anything to Stacey Aucourt about Jodie Foster as far as we
16 know?

17 Did he discuss the movie "Taxi Driver" with either
18 Mrs. Aucourt or her daughter? If these were on his mind,
19 Dr. Dietz would have told you he can't stop talking about
20 these things.

21 Mrs. Kondeah -- let's go to March 30th and talk
22 about these people. She saw him and Mr. Hinckley couldn't
23 comport his activity to law.

24 Remember now when she is in there. She didn't
25 know it. Between 1 and 1:30 he has already loaded the gun

1 and already written the Jodie letter. Now if this man can't
2 conform his behavior to the requirements of law, why did he
3 hide the gun? Why did he hide the bullets?

4 She knocked on the door and let him in.

End F

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MEO

jdm

.1

1 That shows an ability to conform, behavior. She describes
2 him as nice, and I don't know what that means exactly, but
3 I think you can get the flavor of it. She described him as
4 calm. I think you can get the flavor of that pretty clearly.
5 She can't say he was in a frenzy. She didn't say he was sleepy,
6 either. She didn't say he was high. Angry expression.
7 Danny Spriggs. Let's get to the crime itself. You see Danny
8 Spriggs in the picture, by the way.

9 Now, first of all, let's not hold against Danny
10 Spriggs he once played for the Dallas Cowboys. You remember
11 him. But here he is in the picture pulling his gun. John
12 Hinckley is down on the ground by this point. Danny Spriggs
13 is no ordinary witness. He is a law enforcement officer,
14 okay? But he is a Secret Service officer, and that means
15 that he testified that Danny Spriggs has training, some
16 training. He is not a psychiatrist dealing with mentally
17 disordered people, and he has been a policeman in
18 Albuquerque before. And he said that. You can conclude from
19 that that Danny Spriggs would know somebody disordered if
20 he saw him. Danny Spriggs testified in testimony Hinckley
21 was calm, emotional, followed commands, and made an
22 ordinary complaint about the handcuffs being too tight.
23 He wasn't sleepy or drowsy, and as far as he could see, not
24 depressed. No hallucinations or delusions or anything of
25 that sort.

MEo

dm

2

1 He said he was just a normal person. And obviously Mr.
2 Spriggs who is, as I say, sort of a special kind of law
3 enforcement officer, Mr. Spriggs never saw any unusual
4 behavior, would recognize it, and report it to you, and do
5 something about it. Again, if Mr. Hinckley were driven in
6 a frenzy or whatever, Mr. Spriggs would tell you about it.
7 He would see it.

8 Eddie Myers, let's talk about Eddie. Remember the
9 policeman who talked to Mr. Hinckley 2:40 in the afternoon.
10 He met him up to 10:30 at night, now, little guy.
11 Eddie Myers is a homicide detective. He saw Mr. Hinckley
12 20 minutes after the shooting and for six hours after that.
13 Mr. Hinckley, as he describes, responded appropriately
14 to all directions and so forth. Eddie Myers is sort of a
15 card. You can see that. Eddie Myers made a couple of
16 cracks. Now, those are important. Why? Well, if Mr.
17 Hinckley is out of control, out of contact, unable to
18 appreciate ordinary life, well, why is it that when Eddie
19 Myers made the remark about Mr. Hinckley being a Democrat
20 he believed Hinckley? Why did he believe? That is
21 appropriate behavior. Probably pretty bad joke, but it is
22 significant, isn't it? He said that I believe sometime
23 shortly after 3:00, and then later on at night when
24 processing Mr. Hinckley down in the FBI he made some remarks
25 about the nature of the assault. I won't get into the

MEOjdm

1 details, but you remember it. That was pretty funny, I suggest
2 to you, and Mr. Hinckley smiled and showed response, and I
3 think the testimony was that he even laughed. Again, trivial,
4 maybe, in the ordinary case, but not here where a man is trying
5 to tell you in his testimony that he is not criminally
6 responsible, that he didn't appreciate what was going on,
7 and that he was in an inner world.

8 Eddie Myers also told you that Mr. Hinckley
9 provided information within 40 minutes of the crime that was
10 accurate, name, date of birth, and so forth, and get this:
11 I am not trying to string up Eddie Myers here, but Eddie
12 Myers said he couldn't even spell assassinated, Eddie Myers.
13 Who spelled assassinate for him? John Hinckley within half
14 an hour of the crime, 40 minutes. Again, a little bit of
15 evidence, a significant bit of evidence showing state of mind,
16 presence of mind, and what have you.

17 Appreciate wrongfulness. Mr. Hinckley, when Myers
18 asked him something, he said, "I don't know anything about
19 any shooting." What does that show you? He knew darn
20 well about it. Appreciate wrongfulness. He said, "When you
21 see my room, you will see" And he remembered not only the
22 hotel, but the room number. This is a man who Dr. Bear would
23 have you believe was so frenzied and disordered that he is
24 in a rage -- I think that was the testimony. Eddie Myers
25 doesn't show that at all.

EO jdm

1 What else?

2 There was an advisement of rights and Mr. Hinckley
3 just put it this way, responded appropriately. Let's leave
4 it at that. Again, indication of awareness of what is going
5 on and appreciation of the situation of wrongfulness.

6 Now, Eddie Myers as well as other witnesses report
7 that Mr. Hinckley was not sleepy through all this period of
8 time and not high and Lord knows, Eddie Myers has seen people
9 who are high, he has been on the Police Department 13 years,
10 no strange or bizarre behavior, and both he and agent
11 Quilia said that Mr. Hinckley was discussing the NCAA
12 Basketball Playoffs.

13 Now, again, in other cases, that would make no
14 difference at all. In this case it makes a world of
15 difference. Again, contact with reality, aware of the
16 situation, and indeed, as agent Quilia put it, who I will
17 next discuss, this showed Mr. Hinckley's logical mind, how
18 he described the history of LSU, I believe that was his
19 favorite team, and those of you who are sports fans will know
20 that LSU was indeed on that playoff. They got knocked off
21 on Saturday night, but they were in the playoff, and Mr.
22 Hinckley was regretting that fact, and I think they talked
23 about it twice, he and the officers. Again, is this a man
24 who is disordered? Is this a man who is out of contact with
25 reality? Is this a man who is in an inner world? His

meojdm

a.5

1 inner world is LSU. That is the extent of that.

2 Agent Quilia now, FBI agent, and this fellow spent

3 -- and listen to how precise his testimony was-- 5:28 p.m.

4 to 10:20. 10:20. You mean all of that time he was with Mr.

5 Hinckley, I think he said, except for a period he was out

6 doing other things, but I think for four of those hours he

7 was with Mr. Hinckley. Agent Quilia was not an investigator

8 in this case. He was not there processing Mr. Hinckley for

9 investigative purposes or anything of that kind. He was

10 taking his fingerprints, tending to his needs, things of that

11 sort, but he was a pretty careful observer. Five and one

12 half hours he had contact with him, and four of those hours

13 he saw him. Again, he said he was coherent, not sleepy,

14 no problems of any sort. He also said his responses were

15 calculated and collected. This is important. If we are

16 to believe the defense doctors, Mr. Hinckley couldn't do any

17 of this stuff during this period of time, and again, he talked

18 to Mr. Hinckley, not only about these basketball games, but

19 Academy Awards. Why is that significant? They were on

20 that night, you may recall. But the significant thing

21 is Mr. Hinckley wanted to know whether they were going to

22 be cancelled. Dr. Dietz pointed out that that is right in

23 line with Mr. Hinckley's concern for fame and attention,

24 narcissistic personality, if you will, and I think Sally

25 Johnson said something of the same sort.

EOjdm

1 Also, Mr. Hinckley was concerned for his own
2 safety as time went on. Again, an appropriate, intelligent
3 response by a person who just shoots the President of the
4 United States and three other people.

5 Now, Dr. Brownlee, let me talk about him briefly.
6 He is a medical doctor, sure. But his practice deals with
7 reality in many, many ways. Dr. Brownlee told us that in
8 1961 in December to 1966 in May he was assigned as a doctor
9 at the D. C. General Emergency Room. And I think he was
10 Chief of Services some two and one half years. That is
11 very significant. He said in his testimony that in the
12 course of those duties, he saw literally hundreds, thousands,
13 probably, of people, and many of those people had mental
14 disorders which he recognized, diagnosed, and recommended
15 treatment. 1961 to '65. Dr. Bear told us that he graduated
16 with honors from Harvard in 1965. Dr. Brownlee, you could
17 conclude, day and night, day after day, was in that
18 emergency room at D. C. General looking at reality during
19 that period, '61 to '65. Dr. Bear was in the Harvard
20 Library day and night and well he might be. He graduated,
21 but it didn't give Dr. Bear the opportunity or right or
22 experience to testify in the fashion he did in this case.
23 Dr. Brownlee offered you what I submit is an accurate
24 assessment of Mr. Hinckley. What did he say? First of all,
25 he supports the record about the contradiction, the analysis

eo jdm
g
1 of the other lay witnesses. Mr. Hinckley is alert, not high,
2 not sleepy, and so forth. Not depressed, and again he doesn't
3 know these other people. He knows Eddie Myers, but he doesn't
4 know the other people.

5 Secondly, he described Mr. Hinckley as fully
6 oriented and as he put it, his words, conversant. That
7 doesn't mean just saying yeah, no, but giving conversational
8 answers, responding appropriately to questions, talking with
9 the doctor. Giving accurate information and accurate history.
10 He said his mood was normal under the situation. He
11 wouldn't appear belated or depressed. He is not a classical
12 nut. He didn't have any loss of contact with reality.
13 His affect was appropriate and Lord knows we have heard
14 enough about affect already, and he didn't recommend any
15 psychiatric hospitalization or anything of the sort for Mr.
16 Hinckley.

17 Remember, he talked to him for some 40 minutes,
18 I think counsel brought out, that there were some inter-
19 ruptions in that period, but nevertheless he talked with
20 him. The man is a medical doctor, and you better believe
21 if there is anything wrong with Mr. Hinckley psychiatrically
22 that was significant, don't you think Dr. Brownlee would have
23 taken action. Don't you think Dr. Brownlee would have
24 reported it when he was interviewed by the Government
25 psychiatrist two months later.

20 jdm
3 8
1 Now, I call all of these witnesses to your
2 attention, the lay witnesses and Dr. Brownlee, to show you,
3 to underline the fact that the presentation of the
4 Government's evidence is dealt with today in question and
5 the time in question. As you deliberate this case, not only
6 consider March 30 as of March 30, all of these pictures and
7 crimes and so forth, but please consider, talk about reaction,
8 the testimony of Miss Kondeah, Danny Spriggs, Eddie Myers,
9 agent Quilia and Dr. Brownlee. When you consider March,
10 1981, think about Miss Aucourt. Those are the people when
11 all is said and done that have the common sense to prove Mr.
12 Hinckley's common responsibility, don't they?

13 Your Honor, I believe this is an appropriate time
14 to break.

15 THE COURT: You may continue.

16 MR. ADELMAN: All right. Very well.

17 THE COURT: Ladies and gentlemen, you may
18 stand.

19 (The jurors stand.)

20 THE COURT: I will take the recess at 10:30.

21 MR. ADELMAN: It is 11:15.

22 THE COURT: 11:30.

23 MR. ADELMAN: In that time let me proceed to talk
24 about another important witness here. Now, he, too, was
25 called by the defense. You see, it is interesting when you

eo jdm
g.
1 look at it real hard how much the defense supports the notion
2 that Mr. Hinckley had no serious mental disorders and was
3 responsible. That witness is Dr. John Hopper. You remember
4 way back Dr. Hopper.

5 Dr. Hopper, of course, had Mr. Hinckley as a
6 patient for treatment from late October until really late
7 February. Why does he support the Government here? The
8 contention legally that Mr. Hinckley certainly does not
9 have a serious mental disorder.

10 First of all, this man is an experienced
11 psychiatrist. What do we know about Dr. Hopper? First
12 of all, he has been in a community health program, I believe
13 he testified, for several years. He works out of a Denver
14 hospital. He has a private practice.

15 He has been around and he has done work to match
16 up against some of the other defense doctors who testified.

17 Secondly, he was presented and testified as an
18 observational witness, in other words, what he saw in Mr.
19 Hinckley. And he is a trained clinician. He is a trained
20 psychiatric observer, and I hope your recollection will
21 support this, that he saw Mr. Hinckley from 12 to 16 times
22 throughout that period, and also the Hinckley family.

23 Now, it is true that Mr. Hinckley didn't tell him
24 about stalking the President. He didn't tell him about the
25 target practice. True. That shows Mr. Hinckley's

meo jdm

g 10

1 appreciation, that those behaviors were wrong, to put it in
2 terms of the law, appreciation of the wrongfulness of the
3 conduct. That doesn't in any way interfere with this
4 doctor's ability to make observations such as Mr. Hinckley
5 had no thought disorders. That Mr. Hinckley had no delusions,
6 that he had no hallucinations, that he had no, any bizarre
7 thinking of anything of that sort.

8 That is significant. Long before the crime, before
9 March 30, we have a doctor looking at Mr. Hinckley who reports
10 essentially the same findings as Dr. Johnson, Dr. Dietz, and
11 that testimony.

12 You see? Dr. Hopper didn't blow it. That is
13 John Hinckley's rationalization. You see, John Hinckley's
14 doctor, Dr. Johnson pointed out to you, John Hinckley
15 characteristically wants to blame everybody else. Put it
16 to Dr. Hopper. Put it on the Secret Service, put it on his
17 father, for that matter.

18 John Hinckley doesn't want to take the
19 responsibility.

20 Dr. Hopper, I suggest to you, analyzed Mr.
21 Hinckley accurately. Indeed, as we found later from the many
22 examinations of witnesses, of Mr. Hinckley, either
23 schizoid or schizotypal personality disorders, which is
24 very much in line with both what Dr. Johnson concluded and
25 more to the point, what Dr. Dietz and his team of doctors

MEO jdm

1 concluded.

2 Now, what other evidence is there along these same
3 lines? There were three medical doctors who testified in
4 the defense, and I submit to you that each of those doctors,
5 each of those doctors report the conclusion: Mr. Hinckley
6 has no serious mental disorders. Dr. Harvey, do you
7 remember him? He is a family physician. Looked at Mr.
8 Hinckley early in 1980 and found nothing wrong with him
9 physically and by the way, these somatic complaints, these
10 physical complaints, one of the characteristics of the
11 personality disorders that the doctors analyzed, but still
12 found nothing wrong with him.

13 Now, Dr. Harvey is the family doctor. He treats
14 both Mr. and Mr. Hinckley and everybody else, and since that
15 time didn't see Mr. Hinckley, but he saw and supposedly
16 can't you believe and conclude that if he thought something
17 was wrong with John Hinckley, he would tell the parents
18 something was mentally wrong, and he would have recommended
19 another doctor, Dr. vonRueden, who was an internist,
20 look on the inside of you.

21 He looked at Mr. Hinckley and found nothing wrong,
22 a clean bill of health. Again, he is not a psychiatrist.
23 He did an examination. He didn't find anything seriously
24 wrong with Mr. Hinckley's thinking. In fact, both of
25 those doctors report just the opposite. Mr. Hinckley

neo jdm

1 had no problems in that regard.

2 Finally, Dr. Rosen, the doctor in Texas, testified.
3 He saw Mr. Hinckley in the summer of 1979 and I believe into
4 1980. Once more the same results, the same conclusion.
5 So you see when you look at the evidence straight on and you
6 think of the cross-examination of these defense witnesses,
7 what you see is the foundation, the foundation, if you will,
8 for the conclusion that Mr. Hinckley was certainly not
9 suffering from any serious mental disorders and none of
10 these witnesses called by the defense, including the
11 psychiatrists, address the question in part 2
12 as to whether he was criminally responsible.

13 Who did that?

14 Who did that; Dr. Dietz and the team which he
15 represents really and Dr. Johnson.

16 I would like now to turn to Dr. Dietz and talk to
17 him for a minute. Dr. Dietz testified, I think, five
18 days, and I think you will agree Dr. Dietz was careful,
19 thorough, complete, and I suggest to you very fair. Dr.
20 Dietz, as he pointed out to you, is a forensic psychiatrist,
21 and you know what that is now. He worked for Dr.
22 Cavanaugh, and Dr. Rappeport, who also holds the same
23 title, if you will, forensic psychiatrist. That means
24 that Dr. Dietz and his colleagues went about this task
25 in a different way. Do you remember what they did? Dr.

so im 1 Dietz and his colleagues interviewed personally all the folks
g. 2 I mentioned, Danny Spriggs, Mrs. Kondeah, and Dr. Brownlee,
3 the whole crew, and saw Mr. Hinckley on March 30 personally
4 to find out accurately what happened, what their thoughts
5 were. They even went to Colorado. They even went to
6 that motel out there and talked to Mrs. Aucourt. They even
7 went to the Hinckley residence in Colorado and I suggest to
8 you that they didn't do it to see the mountains. They went
9 there, as Dr. Dietz pointed out, to talk to the family in
10 the home to see how they interacted, and see how the
11 father and mother and I believe Scott was there, to see
12 how they interact, and that is important, to do a thorough,
13 complete job.

14 They went to the scene of the crime. they even
15 went up to the Hilton Hotel. They are not police. That is
16 not their job.

17 They went up to Room 312 and they went through all
18 the evidence. They watched video tape. They watched the
19 slow motion. They went through all the pictures. They looked
20 at all the targets. They looked at all the physical
21 evidence, including his gun.

22 Do you remember Dr. Dietz made a point about the
23 gun which nobody else did -- which is, you know you can't
24 load this gun willy-nilly. You pull out the little pin,
25 and you have to purposely then drop bullets in the cylinder.

1 Do you see? That is thorough investigation.

2 Dr. Dietz told they produced a report that ran
3 628 pages.

4 Now, the rule still applies to the Government.
5 The length doesn't necessarily prove quality. How about his
6 testimony here? I suggest there is the quality.

7 What did Dr. Dietz tell you? Well, first of all,
8 he indicated that they worked independently from Sally
9 Johnson, and Sally Johnson worked independently from them.

10 Secondly, both she and Dr. Dietz and his
11 colleagues reached eventually the same conclusion on
12 diagnosis and clearly the same conclusion on criminal
13 responsibility, part 2.

14 Dr. Dietz and his team concluded that Mr. Hinckley
15 has three personality disorders, and this sadness disorder
16 called dysthymic disorder.

17 Now, I am not going to go through all that again,
18 but they concluded he wasn't delusional, had no psychosis
19 or anything of that character.

20 Part 2, Dr. Dietz spent, I believe, two hours
21 telling you why on March 30, 1981 Mr. Hinckley was criminally
22 responsible. Why he could appreciate wrongfulness. Why he
23 could conform his behavior. Why he could understand what
24 he was doing.

25 Now, Dr. Dietz also explained that these mental

ne
jane .5

1 disorders are a narcissistic personality, mixed personality
2 disorder, and the other one, a big long name,
3 are very common things, and I told you before that many of
4 these personality disorders are found through hundreds and
5 thousands and thousands of people. Mr. Hinckley is not
6 unusual.

7 Do you know what happened in this case, really,
8 from all doctors? Mr. Hinckley, I submit to you, is an
9 ordinary person that has been put under a microscope.
10 Microscope of defense doctors and microscope of Government
11 doctors, and what did that show? That he is an ordinary
12 person.

13 Now, Dr. Dietz also indicated to you that there
14 are certain matters or fantasies which everybody has,
15 daydreams and the like, delusions which are serious
16 thought disorders which reality won't change. Hallucinations
17 which are hearing voices, and obsessions and preoccupations
18 and the like. Mr. Hinckley has, as Dr. Johnson says, never
19 had any delusion about Jodie Foster or anybody else.
20 Mr. Hinckley never reported hallucinations to anybody except
21 for Dr. Carpenter who sat down with him and talked to him
22 so long about these voices.

23 Do you remember that in October we had to go
24 through all of that on cross-examination to see how Dr.
25 Carpenter concluded and again, no criticism of Dr. Carpenter

ec jdm 1 as a person, just as judgment.

1{ 2 This is two weeks after Dr. Carpenter had shown
3 Mr. Hinckley the cook book, you see, and, of course, one of
4 the criteria for those schizophrenic, if you call it that,
5 is the matter of delusion.

6 Now, Dr. Dietz said a couple of other important
7 things I would like to bring to your attention before we take
8 our break. First of all, he studied Mr. Hinckley
9 longitudinally. In other words, from early on, all the way
10 to the end, and he did that by talking to Mr. Hinckley, a
11 lot of interviews, and also checking out with what he said
12 with writing, with his parents and brother and sister, and
13 he said Mr. Hinckley had a strong desire for fame, fame.

14 Why? Well, you can draw your own conclusions.
15 I suggest to you Mr. Hinckley developed that over the
16 years because he was sort of the fifth wheel. Scott, a
17 successful business man and his brother. Diane, successful
18 daughter. Marriage, two children now, I believe, and there is
19 John Hinckley, sort of loping beside. His dad, a successful
20 business man. John Hinckley wanted to be somebody. He wanted
21 to be like John Lennon, but John Hinckley, said Dr. Dietz,
22 wanted to do his easy. He didn't want to work. He wanted
23 to get his inheritance, if you will, and just wanted to go
24 that route.

25 That is John Hinckley's route.

me ~ 1 Dr. Dietz also suggested to you that in this very
jd 17 2 same analysis he showed -- Dr. Dietz -- John Hinckley had
3 an interest in famous crimes, and he studied carefully over
4 the years famous crimes. Skyjacking, shootings, things of
5 that sort, assassination, all of those.

6 Why? Because he was interested in that and
7 ultimately, said Dr. Dietz, selected and chose and discarded
8 and decided upon a crime to commit, and he did commit it on
9 March 30, 1981. That is the deliberation, the pre-thought.
10 Deliberation. Pre-thought. Certainly not insanity.
11 Certainly not schizophrenia.

12 Dr. Dietz took hours to figure that out. I am
13 sure. He said he worked on the case almost a year.
14 Obviously not doing everything for the whole year in the
15 case, but he spent a lot of time on it, and you get the
16 benefit of it.

17 Now, ladies and gentlemen, Dr. Dietz also pointed
18 out the matter of pre-thought, the thinking out beforehand
19 of this crime. Mr. Hinckley read about assassinations, he
20 kept literature on assassinations, all the way back to
21 JFK's assassination in 1963, the talking for goodness sake,
22 as Dr. Sally Johnson put it, sort of rehearsal behavior.

23 I think Dr. Dietz referred to it the same way.

24 Target practice. Now, that is interesting.
25 This target practice. Here is Mr. Hinckley's -- here is one

1 of his targets. We don't know when he shot it, but it was
2 found in his house on March 30, 1981. Mr. Hinckley was
3 target practicing we know from the record here in evidence
4 December of '80 to January '81 on two occasions.

5 Mr. Hinckley never bothered to tell Dr. Hopper that
6 or his parents.

7 It is illegal to run around here with guns, even
8 though target practicing may not be in Colorado.

9 That conforms his behavior to the requirements of
10 law and his awareness of wrongfulness of conduct, does it
11 not?

12 By the way, that target is very interesting when
13 you think back to Dr. Carpenter, too.

14 Dr. Carpenter maintained this man was psychotic
15 and possessed schizophrenia, serious mental disorders,
16 thought disorders, when he was shooting these targets.

17 Do you think a man in that condition could do this?

18 Now, ladies and gentlemen, finally, Dr. Dietz
19 pointed one thing out that is going to be significant.
20 He said Mr. Hinckley had an attitude, sort of an imitative
21 behavior, but it wasn't that he just let things come into
22 his mind. He led a willful and selective choice. For
23 instance, he liked Travic Bickle in Taxi Driver. He
24 didn't guide his behavior. He just fashioned himself after that
25

MFO

19

1 Some of the stories were also significant to Mr. Hinckley.
2 Imitative behavior.

3 Some of those he actually copied from some famous
4 writers before he practiced. I would just like to speak a
5 moment about this business of Taxi Driver. You might have
6 wondered at these before the last Friday in May, you might
7 have wondered what Taxi Driver was all about. I am sure
8 you hadn't seen the movie. Don't be fooled.

9 First of all, John Hinckley didn't make that
10 movie. It was made in Hollywood. He is not responsible
11 for the music, the drama, the blood, all the stuff you
12 see in it, and it doesn't reflect how he is thinking.

13 It reflects the creativity of the Hollywood
14 people.

15 The evidence shows Mr. Hinckley did not think he
16 was Travis Bickle. He never did anything more than imitate
17 Travis Bickle in several ways. He walked around. Of course,
18 he had from time to time, apparently as he claims, he had
19 an Army field jacket, but he never bought an arsenal of guns.
20 He didn't do sit-ups to get in shape. He was never a taxi
21 driver. He didn't attempt assassination. He went and did
22 the crime.

23 He never attached a gun to his leg or made a device
24 to do something like that.

25 The bottom line is he never lost identity to this

meo jdm

(0

end

1 movie.

2 Dr. Johnson stated quite plainly that was the case.
3 She stated in her conclusion there was no feeling on March
4 30, 1981 by Mr. Hinckley being compelled by the movie.
5 Indeed, Dr. Johnson's testimony, as I recall it, was the
6 Taxi Driver idea faded from his mind in December. Oh, he
7 might have said things later -- he was thinking about
8 on the day of the shooting, 1981 in March, but that really
9 isn't the case.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 I want to make this point about Taxi Driver.
2 It is very difficult to conclude that this movie really
3 means anything in this case. How does this show that on
4 March 30, 1981 Mr. Hinckley had a mental disease and defect?
5 Furthermore, even if it does, how does it show this man is
6 not responsible under part 2 for the crimes charged?

7 Indeed, there is no evidence of Mr. Hinckley's
8 interest in this movie except Mr. Hinckley's statements
9 himself. Nobody but Mr. Hinckley reported how many times
10 he saw it or when he saw it or what it meant to him. When
11 you get to the bottom line of Taxi Driver, there is one
12 thing that you can conclude beyond a reasonable doubt about
13 Taxi Driver. That the man who played the taxi driver,
14 Robert DeNiro, is a great actor. That's it. Aside from that,
15 I suggest to you it has marginal significance to the difficult
16 questions that you are going to decide. Why was it made?
17 I don't know. What did it mean? I suggest to you nothing.

18 Your Honor, this would be --

19 THE COURT: Ladies and gentlemen, follow the
20 Marshal.

21 THE DEPUTY MARSHAL: This honorable court stands
22 a 15 minute recess.

23 (Whereupon, at 11:30 a.m., a brief recess was taken.)

24

25

AFTER RECESS

11:54 a.m.

(Defendant present.)

(Jury present.)

THE DEPUTY CLERK: This Honorable Court is again in session.

MR. ADELMAN: May I, Your Honor?

Ladies and gentlemen, let me continue and raise a very important witness for your attention, Dr. Sally Johnson.

Now, Dr. Johnson, of course, comes from the Butner Prison down in North Carolina, a federal correctional institution and there are some important things we should know and remember from her testimony right in the beginning. She functioned independently of the Government-retained psychiatric team, Dr. Dietz and his colleague, and she also functioned independently of any defense doctors. Of course, they rubbed elbows as they were going in and she was coming out.

Incidentally, when I say "she," of course she is in effect the head of the team down there. The team consisted of a psychologist, Dr. Hilkey and other medical personnel, and I believe even some nurses or people who keep a watch on the people who are in the facility where she works.

I want to talk a lot about Dr. Johnson now, and a little bit later on when we talk about the questions, part two, conforming conduct and appreciating wrongfulness.

1 I'd like you, as you think about this case, to
2 think a lot about Dr. Johnson. And when you do, of course,
3 think a lot about her compared to Dr. Bear and Dr. Carpenter
4 and Dr. Goldman. Dr. Johnson, like Dr. Dietz, is a forensic
5 psychiatrist. Dr. Johnson, like Dr. Dietz, did her homework.
6 Dr. Johnson told you that while tending to all her other
7 duties at the prison, not just Mr. Hinckley, all her other
8 duties, she interviewed Mr. Hinckley no less than 55 times
9 starting April 3.

10 I'm going to talk about that in more detail.
11 Fifty-five times and I think the evaluation period was around
12 120 days. She was part of a team. She relied on other
13 interviews. Those 55 interviews now, those 55 interviews
14 are just hers. The other doctors, Dr. Hilkey, in particular,
15 talked to Mr. Hinckley on other occasions.

16 You know, stop to think about that. This interview
17 process began April 3 with Dr. Johnson and I think it concluded
18 in late July or mid-July. She was pregnant in the bargain.

19 Think about the evidence in this case. Dr. Johnson
20 saw more of John Hinckley in the year 1981 than his parents
21 did. Think about that. Remember, his folks were in California
22 in January of '81. Then Mr. Hinckley was off on a little
23 trip in February. And then the folks were off on a trip and
24 then Mr. Hinckley is back and they hardly ever crossed paths
25 in February. And in March we know from our remarks earlier

1 that Mr. Hinckley, Sr. saw his son two hours in the whole
2 month of March 1981, and Mrs. Hinckley saw him for an hour
3 on the way to the airport and perhaps a little bit off and on
4 when he would come home briefly.

5 But Dr. Sally Johnson saw more of John Hinckley
6 in the year 1981 than anybody else did and Dr. Sally Johnson,
7 seeing more of John Hinckley in that year, was looking at
8 him as a psychiatrist. And Dr. Sally Johnson, seeing more of
9 John Hinckley than anybody else, is looking at him as a forensic
10 psychiatrist. She pointed out that she did joint interviews
11 like some of the Government doctors did and separate
12 interviews. She pointed out good reasons for both. You do
13 the individual interview to sort of get a feel for somebody
14 personally. I'll talk about that in a minute.

15 And you do joint interviews to have some inter-
16 action to see how things are going on. She looked at John
17 Hinckley from all angles, if you will: medically, psychiatric-
18 ally. Do you recall the testing that was done on John, as
19 she calls him. She also took into account the information
20 by other staff down there. She interviewed the parents,
21 interviewed Dr. Hopper. She even came here to Washington to
22 interview the evidence, if you will.

23 "Taxi Driver." She saw the movie "Taxi Driver."
24 The Jodie tapes, as we can call them. The Jodie letter and
25 other information of that sort. She took an extensive history

1 of Mr. Hinckley. Can't you conclude of all the people we have
2 heard from in this case, she really knows John Hinckley?

3 She really knows him. And I don't have to rely on
4 your ability of drawing an inference on that. What did
5 John Hinckley say, and I'm quoting -- As Dr. Hilkey reported
6 in the record from John Hinckley quotes, "Dr. Johnson and I,"
7 this is Dr. Hilkey, "know him best." Can't you see from her
8 testimony that that is really the case?

9 You see, she saw John Hinckley as she pointed out,
10 three times on three separate interviews before any other, any
11 other psychiatrist saw him; Government or defense.

12 She also told you that she saw John Hinckley some
13 20 times before Drs. Bear, Goldman or Carpenter saw
14 Mr. Hinckley.

15 Testimony shows she was very alert for some things
16 that I think are important for you. The matter of outside
17 influence.

18 Now, again, we are not suggesting, the Government
19 is not suggesting, that anybody had any ill motives, either
20 Dr. Carpenter, counsel for this fellow Chapman, or anybody
21 else in between. That is just not the case.

22 What I'm suggesting, though, is that John Hinckley,
23 that the manipulative individual, sure well knew what to pick
24 and choose, how to get ideas and how to adapt them and use
25 them. He was being seen by the three psychiatrists retained

1 by the defense. He was seen by Government psychiatrists from
2 time to time while he was at Butner, Dr. Johnson's notes
3 recorded. They are in the records.

4 Mr. Hinckley's remarks about the Chapman parallel.
5 John Lennon matter. The "Taxi Driver" issue. Dr. Johnson
6 pointed out, and you have to be careful and make clear what
7 you are saying here. She said, "Sure, John Hinckley thought
8 about "Taxi Driver" back in the past before the shooting.
9 He thought about a lot of things."

10 It wasn't until he got this information passed on
11 by counsel, and we are not blaming counsel at all. It has
12 nothing to do with them. But it is not until then that he
13 started to have a parallel idea and that is when it appears
14 in the notes. Again, Dr. Carpenter unwittingly talked about
15 schizophrenia with Mr. Hinckley and in the very next interview
16 or note, I think, from Dr. Hilkey now John Hinckley is talking
17 about schizophrenia.

18 Dr. Johnson made a record of this and you see why
19 that is important for you. Because we had testimony based
20 on the record not somebody's psychiatric inference, as
21 Dr. Bear called it, and not somebody's speculative conclusion.
22 But from the records as the information came in. She also
23 had stated that Mr. Hinckley stated Brady and Reagan were
24 bit players. That goes against Mr. Hinckley. It doesn't go
25 against anyone that suggested that to him.

1 What does that mean? It means that the defense
2 doctors that suggested that did so at their peril. It is
3 information that Mr. Hinckley dropped in the course of the
4 interview, remember this went on for 120 days. Then when
5 he was interviewed at Fort Meade.

6 Dr. Johnson also had the opportunity to be the
7 first doctor, psychiatric doctor to interview Mr. Hinckley
8 after the crime. That was on April 3. It is significant
9 because this is the early stage, before Mr. Hinckley gets
10 into the interview process with other doctors. Before, as
11 you can conclude the ideas, the idea of presenting himself
12 as not responsible came to his mind. Because, after all,
13 by the summertime he had been seen by Dr. Carpenter, Dr. Bear,
14 Dr. Prelinger, Dr. Goldman, all defense-retained doctors.

15 You can imagine what Mr. Hinckley is thinking
16 as he talks to these doctors over the time. But in the
17 beginning, it is Dr. Johnson who sees him. What did she
18 find on the first three interviews? First of all, the remarks
19 began with the presentation of Mr. Hinckley saying about March
20 30, "I'll never have a better opportunity." That is the first
21 thing he said, in the notes it is found.

22 She found him not depressed. She observed no
23 thought disorder. She also told us in conclusion that John
24 Hinckley in the first two interviews told her things she
25 never heard again and I suggest to you the reason for that is

1 that John Hinckley found out later on talking to other
2 people, other doctors, it may not be wise to tell the same
3 information to Dr. Johnson as he did originally.

4 But as I say, Dr. Johnson really knows John
5 Hinckley. What is the example? Well, there are lots of them,
6 but I think this whole matter of Jodie Foster -- you see, she
7 explored that extensively and I'm not going to go through
8 all the testimony with you. But what she said was first of
9 all, John Hinckley had no delusion about Miss Foster. He knew
10 full well that she was a star and he was something less.

11 She said, and I'm quoting her, her testimony at
12 7601, "That he was daydreaming about her and he was sort of
13 like a superman."

14 Now, you can conclude from the testimony and I
15 believe there has been some allusion to this that Miss Foster
16 gets letters from lots of people. Fans and what have you.
17 I'm not demeaning this. Mr. Hinckley was sure interested in
18 her, but it wasn't a delusion.

19 And furthermore, Dr. Johnson indicated in her
20 testimony that it was fantasizing or daydreaming. And I
21 think we've heard enough now to know that a lot of people do
22 that about a lot of things.

23 Now, the defense maintains that the witnesses and
24 testimony that Mr. Hinckley was somehow psychotic and delusional
25 when he called Miss Foster on the telephone. Do you remember

1 that tape? It was sometime ago. I hope you remember that
2 tape because it shows, I would suggest to you, a man perfectly
3 in order. A man perfectly polite. Certainly, not a man out of
4 contact with reality.

5 You know, he calls up the roommate, she says,
6 "Jodie will be back." Doggone! He calls back. Jodie is
7 there, they have a conversation. None of the roommates are
8 alarmed. None of the roommates are alarmed. Miss Foster
9 is very polite.

10 Finally, the bottom line of the second call is,
11 "Don't call me again," and he doesn't. He never called her
12 again after that time, the 20th of September. Doesn't that
13 show his ability to conform his behavior, if you will, to
14 Miss Foster's wishes? Sure he is star struck by her, but
15 as Dr. Johnson pointed out, he never really lost sight of the
16 fact that she was a rather famous movie star and that his
17 chances of having any type of relationship with her are very
18 small. It is not a delusion and I suggest to you that any
19 attempt to explain the events of March 30, 1981, in terms of
20 a psychotic delusion conflicts with what Dr. Johnson found
21 in her extensive examination of John Hinckley.

22 She also got to the bottom of the Lynn matter.
23 Do you remember Lynn? That shows a couple of things. Lynn
24 appears in some letters that John wrote to his parents in
25 1976. Do you remember the fantasized girlfriend?

1 If you listen to some of the defense lawyers, Lynn
2 was a delusion. Dr. Johnson found out after she talked to
3 John Hinckley about it. First of all, I think it was
4 Dr. Goldman who made such a thing of it in interviewing
5 Mr. Hinckley and all of a sudden Mr. Hinckley said you could
6 conclude maybe this is something I didn't think about. And
7 the records show shortly after that Mr. Hinckley starts to
8 tell the Butner people about Lynn and some fantastic or
9 delusional ideas. There is no question from the evidence
10 that Dr. Johnson testified about. Lynn was a manipulative
11 device. Her name appears in letters.

12 Everytime her name appears in a letter, it is
13 associated with Hinckley wanting money. I believe Dietz
14 testified it was a way for John to get money. "I'm taking
15 Lynn out this weekend. How about sending \$20?" The fact is
16 he had no delusion or fantasy. It is wishful thinking.

17 Again, in terms of this diagnosis that Dr. Johnson
18 gave, this fits right in. She pointed out, too, that
19 Mr. Hinckley was criminally responsible.

20 Let's talk about that. First of all, her diagnosis.
21 She said Mr. Hinckley suffered from two personality disorders
22 and don't misunderstand. She testified, and the evidence
23 shows, and we don't dispute there are severe personality
24 disorders, but as she also pointed out, she also pointed out
25 you can have a mental disorder of any sort and still be

1 responsible.

2 And certainly, personality disorders are far
3 different on the spectrum than schizophrenia, which some of
4 the defense doctors say he suffers from.

5 By the way, Dr. Johnson rejects that notion of
6 schizophrenia and so does Dr. Dietz. More to the point,
7 Dr. Johnson has testified, and this goes to the testimony of
8 Dr. Carpenter, she said merely because a person has a mental
9 disorder doesn't mean he is not mentally responsible. That is
10 an error that the defense doctors have made. Particularly
11 Dr. Carpenter. He doesn't realize not because he is evil, he
12 is not experienced. That diagnosis is only part of the
13 picture.

14 He is only concerned with part one. And why?
15 Because that is his duty. Wherever he works, that is what he
16 does. He is a diagnostician. No experience in relating part
17 two. That is why the ideas crumble when you ask him about
18 part two. The same with Dr. Bear and Dr. Prelinger.

19 But Johnson points out you can be schizophrenic
20 and still be criminally responsible. And indeed, whatever
21 label you put on Mr. Hinckley, what part one you want to say,
22 I submit there is no question that this man could conform
23 his behavior to the requirements of law and appreciate the
24 wrongfulness of his conduct.

25 She also told you her diagnosis, narcissistic

1 personality disorder and mixed personality disorder explains
2 a lot about Mr. Hinckley. His desire for success and
3 attention, if you will. Fame. We've heard about that and
4 we've seen that. Dr. Dietz has talked about that. Entitle-
5 ment. Entitlement has a lot of aspects, but in Mr. Hinckley's
6 case there is one clear one.

7 Mr. Hinckley felt he was entitled to inheritance.
8 There is a letter in evidence, Defense Exhibit November 5,
9 1979, Now, Mr. Hinckley didn't mail it, but he wrote it.
10 You read that letter, if you get a chance. I think we read
11 it in front of you.

12 The letter says, in effect, I've got these shares
13 of stock by mistake, I'm sending them back but doggone it,
14 I want my inheritance, I deserve it. He never got it, his
15 father wouldn't give it to him.

16 That underline is the sense of entitlement. When
17 Dr. Bear talked to you about anchors falling away when his
18 father told him he couldn't come back. The anchor was not
19 the parents because he had been free of them for a long time.
20 The significance was that, in effect, his father told him no
21 inheritance, John. Think about that. Think about that when
22 you think about the events of March 30th and the reasons that
23 Dr. Johnson gave for those events.

24 Now, like Dr. Dietz, Dr. Johnson extensively
25 discussed in her testimony hours, by my count, part two,

1 appreciation of wrongfulness and conformity of behavior to
2 the requirements of law. Again, when we talk about this
3 I want to ask you what has the defense offered you on these
4 matters? Part two. What have they done? What evidence have
5 they given to show that he couldn't conform his behavior
6 to law or appreciate wrongfulness? All they have offered is
7 conclusions and theories.

8 Let's look at the evidence, like I said. Two
9 hours ago. Before March 30, let's start as Dr. Johnson did.
10 We know Mr. Hinckley was aware of the whole body of literature
11 and information about assassination attempts. As she pointed
12 out, and Dr. Dietz, he was clearly aware that such activities
13 were illegal, which speaks to Dr. Johnson would put it a
14 basic appreciation of the wrongfulness of that kind of conduct.

15 He read newspaper accounts of famous crimes.
16 Dr. Dietz told us a lot about that. He kept books, he had
17 documents, even in his room about famous crimes. Again,
18 knowledge of wrongfulness.

19 Secondly, he purchased guns before March 30. As
20 Dr. Johnson pointed out, I'm quoting the testimony. "He
21 carried them around in case he decided to shoot someone" speaks
22 to the facts that he could conform the conduct to the
23 requirements of the law.

24 In the same way, he was carrying the guns around.
25 All the time he had guns and he didn't shoot anybody. That is

1 clear indication of ability to conform and indeed ability
2 to appreciation. He was aware that guns could harm people.

3 And then she pointed out something that is very,
4 very unique and significant. He was aware, she got this out
5 of him -- he talked with him -- that he wasn't a good shot
6 when he first bought the guns. I think this was in 1979 or
7 1980. So he practiced.

8 Now, the defense sought to have evidence introduced
9 and, indeed, did from their doctors that he was intending to
10 shoot himself.

11 Ladies and gentlemen of the jury, you don't have
12 to go to a rifle range to learn how to shoot a gun to shoot
13 yourself. You don't shoot holes in those targets to shoot
14 yourself. You can do that very simply. What was he practicing
15 for? Well, as Dr. Johnson pointed out he got to be pretty
16 good at 20 or 30 feet. What happens on March 30, 1981? He
17 gets himself within a range of 20 or 30 feet, in fact, closer
18 than that, if you look at the picture.

19 He said the best opportunity he had ever. Further-
20 more, she made this point. That he could differentiate
21 between weapons. In other words, he realized how powerful
22 one weapon was over against another. And he certainly
23 appreciated in this case a .22 loaded with the Devastator
24 bullet would be a powerful weapon and could cause the death of
25 somebody else.

1 Secondly, his rehearsal. Now, that is not the
2 way we would phrase it necessarily, but she put it that way.
3 Rehearsal meaning stalking. In other words, going around
4 Nashville, Dayton, Blair House. Why does he do that? Well,
5 certainly he realizes the wrongfulness of that conduct because
6 he didn't tell anybody about it. After all, if he went home
7 and blabbed to his folks that he was down in Nashville trying
8 to shoot the President they would have done something.

9 Secondly, as she pointed out, it indicates he was
10 preparing himself. You can conclude, ladies and gentlemen,
11 from those three incidents that Mr. Hinckley well knew and
12 understood how the Secret Service operated. Well, knew that
13 when the President walked out the Secret Service are
14 around. Well knew and understood that when he ended up with
15 a little gun like this he had to be within 20 or 30 feet.
16 I think 20 to be able to shoot somebody.

End I

OLSEN/GeoK

1 That is what he learned in Nashville. That is what
2 he learned from Dayton and that is what you can conclude he
3 learned down at the Blair House.

4 Furthermore, Dr. Johnson points out after somebody
5 with Mr. Hinckley's background, who after all doesn't have
6 a history of crime when he was a child, the whole matter of
7 doing the shooting is supposing you have to prepare, test
8 out -- as she put it -- get himself in order and how best
9 to do it, but to practice with a gun, practice observing the
10 President, practice to see how the Secret Service operates.

11 Another point: Mr. Hinckley's victim turned out
12 to be the President of the United States and three other people.
13 But he admitted to her that he chooses his victim very carefully.

14 You remember initially he was thinking about Presi-
15 dent Carter, but President Carter didn't get reelected. That
16 fell out of Mr. Hinckley's mind then. Get the President!
17 Get the President! Get the President!

18 After November 4th Mr. Carter was no longer the
19 President. After November 4th we find Mr. Hinckley in
20 Washington in December hanging around the Blair House.
21 Doesn't that show discrimination in thinking? Doesn't that
22 show careful planning and briefing?

23 You see if Mr. Hinckley was driven wildly to do
24 something or to do an act to impress Jodie Foster, Lord
25 knows he would be trying to shoot Jimmy Carter or somebody

1 else even after Mr. Carter wasn't reelected.

2 And, as Dr. Johnson pointed out in her work, that
3 is not only a distinction, but a subtle distinction, somebody
4 with a pretty sophisticated mind would have to make.

5 Now even when he went to see Dr. Hopper, you remember
6 that happened in late October or early November. Dr. Johnson
7 points out that this shows judgment in the sense that he
8 wanted to do what his parents wanted him to do, which is to
9 see Dr. Hopper.

10 Of course he didn't tell Dr. Hopper about these
11 events I have been talking about. Once more, the significance
12 here for your purposes is Mr. Hinckley realized it was wrong
13 to do that, and he knew that Dr. Hopper indeed was seeing
14 the Hinckley family, mother and father, and he realized if
15 he told Dr. Hopper, there would be a chance Dr. Hopper would
16 tell the family.

17 Defense has made something of that, but it really
18 doesn't prove anything except Mr. Hinckley sure well knew
19 that carrying guns and stalking Presidents was wrong, and
20 he sure well knew or was able to conform his conduct. And
21 by that I mean not shoot anybody and keep his mouth shut
22 about what happened.

23 Now he comes to Washington in December. Now if
24 you believe the defense doctors, this plan was in such a
25 frenzy and so driven that he couldn't control himself. By

1 his own act he was standing out at Blair House on several
2 occasions. He never shot the President. He never pulled
3 a gun. He never did anything of the sort.

4 Appreciate wrongfulness? Yes, sir.

5 Conform behavior? Yes, indeed.

6 That is precisely what it means. Mr. Hinckley was
7 very deliberate in December, was he not? He was checking
8 out the opportunity and eventually he found one on March 30,
9 1981.

10 Dr. Johnson raises another point about appreciation.
11 The shooting of John Lennon on December 8th Mr. Hinckley
12 described to her, as she puts it, "that that behavior was
13 wrong." He sure well knew that shooting somebody else was
14 wrong even in December. And even though he was allegedly,
15 if you believe the defense doctors, in a state of psychologi-
16 cal turmoil at the death of John Lennon and went to New York
17 and participated in the funeral or whatever they had up there
18 for Mr. Lennon. He was still able to conform his conduct.

19 He didn't go and shoot anybody or commit any crimes.

20 She pointed to a poem, a defense poem, incidentally,
21 called "Guns Are Fun" and that poem is very interesting because
22 it has some lines that I think are significant.

23 Let me say right now -- let me say right now Dr.
24 Dietz testified that you can't diagnose anybody from a poem.
25 They are fiction. Dr. Johnson didn't attempt to do it either.

1 All they did was make reference to this fact, that the poem
2 talks about, "if I wish the President will fall, the world
3 will look at me in disbelief."

4 She said that simply speaks to an understanding
5 of the criminality of the act, the attention that the world
6 might pay to it. That is not a diagnostic truth. It is a
7 fact of evidence, you see. It is a fact of evidence.

8 While we are talking about Mr. Hinckley's writing,
9 let me just say this: You know Mr. Hinckley quoted to the
10 defense doctors, wrote extensively and you can tell the state
11 of mind. Well, if he was obsessed and driven and all drawn
12 up in "Taxi Driver," why isn't there anything in his writings
13 about "Taxi Driver"? Nothing. I think that is the end of
14 "Taxi Driver."

15 Now Mr. Hinckley claims that Dr. Johnson pointed
16 out that he wrote a letter to her in the fall, to Jodie, claiming
17 that he was stalking the President. Nobody has ever seen
18 that letter and I raise the question with you as to whether
19 that actually existed. But even if it did, Dr. Johnson points
20 out that certainly indicates Mr. Hinckley's awareness of a
21 risk of sending such a letter to Miss Foster to be turned
22 over to the FBI.

23 But Dr. Johnson points out in any case that by
24 doing that he certainly appreciated the wrongfulness of what
25 he was doing.

1 Now going on, even before March 30th she points
2 out that these Krugerrands, these gold coins, were stolen
3 by Mr. Hinckley from his family at some point and showed some
4 profit when he sold them.

5 Here again he didn't tell his family about it.

6 Wrongful conduct. Wrongful conduct, that he appre-
7 ciated certainly and by not telling them to conform his conduct
8 to the requirements of the law at least within the context
9 of his family. And in the same vein she said he postponed
10 his so-called trip to New Haven.

11 Remember, he claimed he was going to go up and shoot
12 Miss Foster in February or March, but he postponed it until
13 the Easter vacation was over.

14 Now is this a man that is driven, can't make decisions
15 and who can't conform his conduct to law? And as far as his
16 personal situation in the beginning of March is concerned,
17 she indicates that he realized that he had no relationship
18 with Miss Foster and she points out he was bored and, believe
19 me, that note really tells a lot about John Hinckley when
20 you get right down to it.

21 Bored young man with a lot of money, access to a
22 lot of money, does what he wants, flies around the United
23 States, knocks on Miss Foster's door or actually reads her
24 letters, calls her up and so forth in December. That is
25 John Hinckley.

1 She also points out all the way to Washington now
2 as he gets closer to the crime, he is on a bus and even by
3 his description he realizes other alternatives, going to shoot
4 President Reagan, one going to Hollywood, New Haven, even
5 appealing to his sister at that point with whom he was on
6 good terms.

7 Very significantly let's talk about that bus trip
8 for a second.

9 There was a person with Mr. Hinckley who reported
10 to the doctors and was interviewed by doctors on both sides
11 about that. Mr. Parke, he sat with Mr. Hinckley for a good
12 part of the trip. He didn't report any unusual behavior.
13 He didn't report any psychotic experiences. He didn't report
14 anything of the like.

15 Now if you believe the defense doctors, Mr. Hinckley
16 is in a very serious state of psychosis at this point. If
17 you believe them.

18 Mr. Parke, of course, not a doctor, clearly undercuts
19 that. He shows Mr. Hinckley functioned like any other passenger
20 on the bus.

21 Now on the day of March 30th let's get to the particul
22 facts here. Dr. Johnson relates, first of all, Mr. Hinckley
23 claimed he had difficulty sleeping, whether that is true or
24 not.

25 THE COURT: Mr. Adelman, you may budget your time

1 accordingly, but I plan to recess for lunch at 12:30 and if
2 you wish to continue after 12:30, very well.

3 MR. ADELMAN: All right. I will proceed. Thank
4 you.

5 Let's see, we are talking about March 30th.

6 THE COURT: All right.

7 MR. ADELMAN: Mr. Hinckley claimed he hadn't slept
8 all night.

9 Mrs. Kondeah, you remember the mai, came in and
10 said the bed was unmade and I leave it open to your judgment
11 as to whether you really believe the representation Mr.
12 Hinckley didn't sleep all night in light of the view that
13 everybody who saw him that day said he didn't appear sleepy
14 or tired to them.

15 In any case Dr. Johnson said he wasn't agonizing
16 over any decision that morning in your judgment, as she under-
17 stood the situation. Furthermore, he got up and ate break-
18 fast, which is usual behavior.

19 Now why am I talking about this, because after
20 all it is pretty usual to get breakfast. I suppose we all
21 did this morning. I bring that to your attention with the
22 added fact that he then went and bought the Washington Star
23 because if this man is driven, if he is compelled to do some-
24 thing, as the defense doctors would have you believe, why
25 is it that he does these ordinary things?

1 Why wouldn't he just grab a gun, run down to the
2 White House and do some shooting?

3 Now there is a lot of ground between there and what
4 he actually did and I am not suggesting that only a person
5 who does that kind of act is criminally not responsible.

6 But, ladies and gentlemen, you sat here for days
7 literally and heard testimony from these doctors describing
8 him in such a "frenzy," to use the word, in such an "inner world"
9 to use the word, in such a "rage" to use the word, that you
10 would believe that Mr. Hinckley once he decided to do what
11 he did would have no ability to control his behavior.

12 Let's move on. Let's move on. Mrs. Kondeah sees
13 him at 1:15. Now at 12:45 the Jodie letter is written. I
14 will talk to you about that in a moment, perhaps after lunch,
15 but she sees him at 1:15 and again it is a brief contact,
16 maybe 10 minutes, if that.

17 But if this man now within an hour or so of the
18 crime -- if this man is driven or under psychosis in the way
19 described, would he act like he did? He acted perfectly
20 appropriately.

21 He said, "I need a pillow case" and dog-gone he
22 did need a pillow case. She said, "Move on and go into the
23 bathroom" and he did move.

24 What is he doing? What is he doing? He is drinking
25 a soda. You can see the soda in the picture taken at the

1 room later that day.

2 Is this man out of control? These are the kinds
3 of things Dr. Johnson was talking about.

4 I might tell you Dr. Johnson did not interview
5 Mrs. Kondeah, but you heard it. You heard her and Mrs.
6 Kondeah, as I pointed out, in so many ways with these lay
7 witnesses supports what the Government doctors have suggested
8 to you in their testimony.

9 Now Dr. Johnson points out as well that he noted
10 -- he read the Washington Star and the newspaper found on
11 the bed at about 11:30 that Mr. Reagan was going to speak
12 up at the hotel and, as she puts it -- and this is some
13 psychiatric talk -- but you have to accept it. He had no
14 difficulty processing that information.

15 I think what that breaks down to, then, is he under-
16 stood it. He reacted to it and so forth.

17 Even he told the Government doctors he saw that,
18 didn't get excited, but he realized, as he told Dr. Johnson
19 on April 3rd, he indicated this is his opportunity.

20 This is two hours now before the crime -- three,
21 for goodness sake, before the crime. He has formed the specific
22 intent to kill.

23 Likewise, she pointed out that the idea of assassinating
24 the President was in his mind some two or three hours before
25 the shooting.

1 Again, why is that important? It is an obvious
2 fact now, but it is psychiatrically important and it is
3 important for you when you consider Part 2, because it shows,
4 does it not, that he had this in his mind? He turned it over.
5 It didn't come on him willy-nilly.

6 In fact, he thought about this matter all the way
7 up to the crime and Dr. Johnson in a careful evaluation
8 by his own words determined that at the time he pulled the
9 trigger, he was still considering the options. He made the
10 decision or he had the ability to make decisions.

11 Why is this important? Again, if you are to believe
12 the defense doctors, this man could not have the ability to
13 do that. In fact, they came out and said that, but the evidence
14 as we have it, the evidence that the lay witnesses provide,
15 the evidence that Dr. Johnson provides from Mr. Hinckley's
16 own lips, directly contradict that.

17 Now at 11:30 or thereabouts he took a shower. She
18 says, No. 1, it is normal behavior and again I tell you why
19 that is significant: Because again if he were driven, he
20 wouldn't have prethought to do that and, secondly, he was
21 aware, as she points out, that he had the time to go up
22 to the Hilton to do what he intended to do.

23 In the shower he began to think. He began to
24 think about this idea and again she says this speaks for his
25 ability to control his behavior.

1 He took Valium according to his claim.

2 Let's get this straight right now. Valium, as we
3 heard in the testimony, is a rather common drug used for
4 stabilization of people, probably the most commonly used in
5 the United States. Mr. Hinckley had a very low, prescription
6 of a very low dosage.

7 The evidence suggests and indicates that if Mr.
8 Hinckley took any Valium at all, he took his normal dosage.

9 I might say Mr. Hinckley never told Dr. Brownlee
10 that he took any Valium that day, but even if he did, there
11 is certainly no clear evidence that he took anything more
12 than three tablets, which is normal dosage and which he had
13 been taking for a year.

14 Now after that are some very significant events.
15 He loaded the gun. Let me pause there.

16 He had 43 bullets we now know. Dr. Goldman never
17 figured that out, but you know, 37 of those bullets were other
18 types of .22. Indeed those hollow points are pretty mean-
19 looking. If you get a chance, you look at them.

20 But he chose six Devastator bullets. He emptied
21 the box. Here is the box, Government Exhibit 5 in evidence,
22 found in his room. He emptied the box of Devastator bullets.

23 Why? Is this the man driven? This is the man
24 who can't control himself.

25 We heard testimony from the ballistics expert that

1 even the Devastators look different than other bullets.

2 Do you remember that? He looked at them. He
3 probably looked at every one, and as he did -- as he did I
4 am sure and you can imagine the word "kill" ran right through
5 his mind. You don't even have to imagine, because when you
6 look at the Jodie letter, which I will talk about after lunch,
7 it says in the very first line -- second line: "My attempt
8 to get Reagan . . ."

9 Can't you imagine what John Hinckley was thinking
10 as he picked up each one of those Devastator bullets? Can't
11 you imagine what John Hinckley was thinking as he opened the
12 cylinder? Not a simple act -- and put each bullet in there.

13 Can't you imagine what John Hinckley was thinking
14 as he pulled the pin out and put the gun back in place? Can't
15 you imagine what John Hinckley was thinking when he then put
16 the gun in his pocket?

17 He is not thinking about anything in an "inner
18 world." He is thinking about what he just read in the new-
19 paper: Ronald Reagan at the Hilton. He is thinking about
20 killing him.

21 May we break at this time, Your Honor?

22 THE COURT: You may.

23 Ladies and gentlemen, you may follow the marshal.

24 Remember the admonitions that I have given you.

25 [The members of the jury departed from the courtroom

1 at 12:31 p.m.]

2 [At the Bench:]

3 THE COURT: Gentlemen, I want to advise you that
4 before coming -- after I conferred with you this morning and
5 as I was coming on the Bench, I was advised of two other
6 situations.

7 I plan to explore them this noon and again Mr.
8 Olsen will have for you the transcript of the yesterday after-
9 noon as well as the transcript of this morning so you can
10 make your decision as to that.

11 Now I have also advised the marshal that I will --
12 to alert the jury that I plan to sequester them today beginning
13 this afternoon.

14 Now some of you have been of the opinion that the
15 action that I took in excluding two persons this morning
16 was a rather drastic action and, indeed, it was a drastic
17 action, but I think that the circumstances under this trial
18 for the last several days require drastic action.

19 Mr. Hinckley has rights. Those jurors are entitled
20 not to be besieged from all sources. I haven't interviewed
21 these other two and I don't know what the situation is, but
22 I am advised of that.

23 I will come back on at 2 o'clock.

24 MR. FULLER: Thank you. This is sealed?

25 THE COURT: I don't know whether it should be sealed

1 or not.

2 MR. FULLER: Well, I don't really care, if you
3 are going to take the action you have indicated.

4 THE COURT: I haven't identified anybody.

5 MR. FULLER: Since you are going to sequester,
6 I am not concerned.

7 THE COURT: I will make a determination as to that.

8 [In open Court:]

9 THE DEPUTY MARHSAL: Remian seated.

10 This Honorable Court stands a recess until 2 o'clock.

11 [Wherepon, at 12:34 p.m. the Court recessed, to
12 reconvene at 2:00 p.m., this day.]

13 [Volumes 78 and 79 were placed under seal by order
14 of the Court.]

15 * * *

16

17

18

19

20

21

22

23

24

25

CERTIFICATE OF REPORTER

I, M. Eugene Olsen, C.S.R., an Official Court Reporter for the United States District Court for the District of Columbia, do hereby certify that I reported, by machine shorthand, in my official capacity, the proceedings had in the closing arguments adduced in the case of United States of America v. John W. Hinckley, Jr., Criminal Action No. 81-306, in said Court, on the 17th day of June 1982.

I further certify that the foregoing 95 pages constitute the official transcript of said proceedings as taken from my machine shorthand notes.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this the 17th day of June 1982.

Official Court Reporter

UNITED STATES OF AMERICA, :
 :
 Plaintiff :
 :
 v. : Criminal Case No. 81-306
 :
 JOHN W. HINCKLEY, JR., : Afternoon Session
 :
 Defendant :

Thursday, June 17, 1982

APPEARANCES :

STANLEY HARRIS, Esquire
United States Attorney
2800A United States Courthouse
Washington, D. C. 20001
(202) 633-1706

(202) 426-7841

1 APPEARANCES (Continued:)

2 For the Plaintiff (Continued):

3 ROGER M. ADELMAN, ESQUIRE
4 Assistant United States Attorney
5 4401 United States Courthouse
6 Washington, D. C. 20001
7 (202) 633-4911

8 ROBERT CHAPMAN, ESQUIRE
9 Assistant United States Attorney
10 4401 United States Courthouse
11 Washington, D. C. 20001
12 (202) 633-4936

13 MARC B. TUCKER, ESQUIRE
14 Assistant United States Attorney
15 7337 United States Courthouse
16 Washington, D. C. 20001
17 (202) 633-1005

18 For the Defendant:

19 VINCENT J. FULLER, ESQUIRE
20 GREGORY B. CRAIG, ESQUIRE
21 LON S. BABBY, ESQUIRE
22 JUDITH A. MILLER, ESQUIRE
23 Williams & Connolly
24 839 - 17th Street, N.W.
25 Washington, D. C. 20006
(202) 331-5036

(Defendant Hinckley present.)

MEO

AFTERNOON SESSION

jdm 1

JURY PRESENT: (2:06 p.m.)

THE DEPUTY MARSHAL: Remain seated and come to order.

This Honorable Court is again in session.

THE COURT: Mr. Adelman, you may resume.

MR. ADELMAN: Thank you.

Ladies and gentlemen, on the critical day of March 30, which I have talked so much about, we have reached the point where Mr. Hinckley had loaded the weapon. I had discussed that with you. I am discussing all of this in the context of the evidence, testimony, the expert testimony, and how it shows his ability to conform his behavior to appreciate wrongfulness.

Now, the next important thing that happened, Mr. Hinckley wrote a letter in evidence, that Jodie letter. He wrote this letter, according to the note on it, at 12:45, about an hour or two hours before the crime, a little less.

This evidence, this letter in his handwring, among all the other evidence clearly shows to you as Dr. Johnson put it and as I suggest to you, a clear awareness of what he was thinking about doing, and as the evidence shows from the experts and I will talk about it in a minute, a clear understanding of what he was about to do was wrong, a clear indication that he could conform his behavior to the requirements

of the law.

In the first paragraph of the letter he is writing to Jodie Foster. He says, "There is a definite possibility I will be kind in my attempt to get Reagan." This is written at 12:45, an hour and a half before. Doesn't that clearly show in his own handwriting, in his own handwriting, his acknowledgment of the wrongfulness of what he is doing? He understands that he will get killed, perhaps, in his attempt to get Reagan. He understands that it is wrong. Simple logic.

Secondly, in his interviews with Dr. Dietz, he explained to Dr. Dietz and Dr. Dietz testified that Mr. Hinckley pointed out he realized, well realized at the time he wrote this letter and thereafter that he could be killed in his attempt to shoot the President. Isn't that plain, simple evidence of his understanding of the wrongfulness of his conduct, the appreciation, if you will.

In addition, Dr. Dietz pointed out and I remind you that this letter indicates Mr. Hinckley's stating, "My attempt to get Reagan," a clear indication not only of appreciation, but of conforming his attempt, his ability to conform his behavior to the requirements of law.

Intending, also, to show both aspects.

Finally, you have heard enough about this letter and you can look at it, if you like, to see in contrast to

meo jdm
m
1 what the defense doctors would have you believe. This man
2 was perfectly rational, perfectly organized at the time he
3 wrote this letter.

4 You take a look at it.

5 As Dr. Dietz pointed out and as you will see, the
6 words are in order. There is nothing -- run-on sentences,
7 paragraphs very well, everything is logically written. Is
8 this the letter of a man who is driven, who can't control
9 his behavior, who has an inner rage, as we learned from Dr.
10 Bear, I believe, who is suffering from some problem in his
11 inner world? Would a person who has that problem write a
12 letter like this?

13 Dr. Johnson pointed out as well -- this is very
14 significant. The letter wasn't mailed. Remember, it is
15 found in the hotel room in an envelope.

16 If this man was driven to do this crime, if we he
17 compelled, if he had no choice, would he have mailed the letter
18 as his final statement to Jodie Foster? Dr. Johnson pointed
19 out that the fact that he didn't mail the letter fits into
20 the pattern of John Hinckley of not being sure whether he
21 was going to go through with the crime.

22 He didn't know if the situation up at the hotel
23 would be right. What does that signify? Planning,
24 consideration, reflection, appreciation of wrongfulness,
25 conforming to law. At the time he wrote the letter he

1 wasn't sure he was going to do it.

2 Still, the opportunity, the option, the ability
3 and the fact of making choices. The letter not being mailed
4 shows -- in other words, as the doctor put it, is appreci-
5 ation of the inherent risk of what he was about to do.

6 You see, if he mailed the letter we might have a
7 different situation. As I said, the letter reveals not only
8 appreciation in one sense, but it also reveals that he
9 might lose his freedom, be locked up, be shot, be killed
10 by the Secret Service or the police or whoever are up there.

11 And finally, Dr. Johnson pointed out that
12 Mr. Hinckley was, in her words, committed at the prospect
13 of leaving a letter at the crime scene.

14 Why is that significant? First of all, it
15 underscores the accuracy of the diagnosis that both
16 Dr. Johnson and Dr. Dietz and their respective teams
17 really came to.

18 Mr. Hinckley's narcissistic personality, the
19 theme, the fame, the desire for importance. This is
20 John Hinckley going down in a blaze of glory. Blaze of
21 glory. He left a note for Jodie Foster. Doesn't this tie
22 in with what he told Eddie Myers? He said to Eddie Myers,
23 "You go to my hotel room. You go to my hotel room." This
24 is after he is arrested. This isn't John Hinckley in a
25 delusion. This is John Hinckley desiring fame.

1 Dr. Johnson said, Dr. Dietz said, the conclusions
2 of both of those groups of doctors is that Mr. Hinckley
3 desired to be famous, important and well known.

4 And unfortunately, as we have four victims you
5 know about, he succeeded. He succeeded and he told
6 Dr. Dietz that.

7 Let's go on. He left the hotel and took a taxicab
8 again calculating the time, the place and so forth. He
9 didn't know Washington too well, we can assume, but he made
10 it up there. He hid the weapon. There is certainly clear
11 evidence of that. Mrs. Kondeh, she didn't see it. We have
12 no indication he pulled it out on the cab driver. We have
13 no indication he pulled it out when he got up there.

14 What is the significance of that? It is illegal
15 to carry a weapon here in Washington anyway. Doesn't it
16 show his ability to conform to the law to hide the weapon/
17 Doesn't it show his appreciation of wrongfulness of that
18 act to hide the weapon? You see, if he is walking around
19 up there at the Hilton with a .22 in his hand we might
20 have a different situation.

21 Then we have John Hinckley on the way, according
22 to Dr. Johnson, still considering the possibilities of
23 shooting the President, going to New Haven or just going
24 on. And again, as she put it, this speaks to his appreci-
25 ation of the wrongfulness. The opportunity to make decisions.

3

1 And also on the way to the Hilton and, indeed,
2 before there is one other important factor, too. John
3 Hinckley was aware, he knew, he told Dr. Johnson that he
4 knew that his range, if you will, his accuracy was limited
5 to 20 or 30 feet and this ties into what happened at the
6 Hilton. Very significant when John Hinckley showed up.
7 Oh, by the way, here he is. This driven man, see how
8 driven he is here. See the inner world. It is not there.

9 I don't think Dr. Bear even bothered to look at
10 this picture. He might have a different conclusion if he
11 did. I don't think Dr. Carpenter did either.

12 My point is when he got to the Hilton he stood
13 outside in that line at about 1:45. Mr. Reagan appeared
14 at 1:50. If he was so driven, if he was so compelled he
15 couldn't control behavior, why didn't he shoot him then?
16 You know the answer. He wasn't. He wasn't compelled.
17 He could conform his behavior to law. He could appreciate
18 the wrongfulness.

19 Indeed, he waited until he got in the best
20 position. We heard testimony that the limousine and
21 Mr. Reagan were not in a good position for him to shoot.
22 He knew that, he calculated that, and don't you recall
23 Dr. Carpenter, in his cross, when examined Dr. Carpenter
24 didn't even bother to go up to the Hilton himself to see
25 whether Mr. Hinckley was in a good position, and he

1 determined at that point he wasn't.

2 None of the defense doctors bothered to do that
3 and I think that underlines the quality of the testimony
4 you have got here from Dr. Dietz on this particular
5 point.

6 As Dr. Johnson put it, Mr. Hinckley, at 1:45 or
7 1:50, assessed the situation. Now, that word means you
8 think about it. You turn it over in your mind. He assessed
9 it. And he decided he made the decision not to shoot.

10 And remember, during the time the President was
11 in the hotel giving the speech did Mr. Hinckley leave?
12 Did he go away? Did he follow him in the hotel? No, he
13 waited outside. And what we know from the testimony of
14 Dr. Dietz that Mr. Hinckley said at that point he was
15 thinking, should I, should I do what? Should I shoot the
16 President of the United States? Should I go to Yale and
17 see Jodie Foster or should I go somewhere else? Making
18 decisions all along, debating, indicating consciousness of
19 decision.

20 Those are from Mr. Hinckley's own lips, ladies
21 and gentlemen, and so it can be accurate he told Dr. Johnson
22 that. It is in her notes. It is in her records. It is
23 in her testimony as well as Dr. Dietz's.

24 And you see, you don't hear any of this from the
25 defense doctors. Nobody from the defense side of the

1 house talks to you about these things. This is the bread
2 and butter. This is the meat and potatoes that proves
3 from Mr. Hinckley's own statements appreciation of
4 wrongfulness and conformity to law.

5 Dr. Dietz pointed out and I think Dr. Johnson
6 echoed it here, Mr. Hinckley, while he is standing around
7 waiting, waiting for the President, to assess the security
8 situation.

9 Now, this is a man, we are told by the defense,
10 is driven, compelled and what have you. He checked out
11 the police. He noticed that the police for some reason
12 were across the street. Across the street, if you know
13 that part of town, but yet they weren't right near where
14 the press line was and he noticed the positioning of the
15 Secret Service agents. Why is he doing that? If this
16 man is driven and compelled would he care, if he has this
17 inner turmoil going on, would he care? If he is psychotic
18 would he care?

19 Whatever Mr. Hinckley was thinking he was clearly
20 thinking about the concern with the police.

21 Finally, Dr. Johnson pointed out, I believe, that
22 Mr. Hinckley knew just before the President came out that
23 if he moved or lunged or did something to go up beyond the
24 press line into where the President was directly, he would
25 be apprehended. Yet another occasion of appreciation,

1 knowledge of wrongfulness and ability to conform his behavior
2 because he didn't do that. He merely waited.

3 He was deliberate and careful. He was so careful
4 when Mr. Reagan came out of the hotel he waited for the
5 best and only clear shot and the videotape shows you that
6 and I told you this morning exactly what that videotape
7 indicated.

8 He also told Dr. Johnson that he debated even
9 at the last moment whether to shoot and he made the decision
10 to shoot and he did.

11 And the bottom line here is, as I have told you
12 earlier, he told Dr. Johnson on April 3rd, within a week of
13 the crime, "I'll never have a better opportunity." That is
14 what his mind was saying, that is what he was thinking.
15 That is not the thoughts of a driven man. That is not the
16 thought of a man who can't control his behavior.

17 That is a deliberative, determinative thought.
18 And he shot not just once, six times. And he didn't shoot
19 wildly as I have told you. He didn't shoot all over the
20 street into the ground, into the car. For goodness sake,
21 some of these defense doctors believe his statement that he
22 was shooting at the limousine. You can see that he didn't.
23 He shot directly at his target six times and in the course
24 of that he hit four innocent people with the weapon that he
25 carefully practiced and trained with.

1 Ladies and gentlemen, after the shooting
2 Dr. Johnson reports to you that Mr. Hinckley had an
3 accurate memory of the events and recognized right at the
4 time, according to him, as they were taking him away, that
5 he had shot people. He saw the victims on the ground,
6 appreciation of wrongfulness. Clearly.

7 And finally, if any more evidence be needed,
8 what does Mr. Hinckley say about this particular issue at
9 this time up at the Hilton? Now, a man who the defense would
10 have you believe is driven and frenzied out of control said
11 and the evidence bears this out in an interview with Dr. Dietz
12 or one of his colleagues as follows: "If I was going to have
13 to wait within five or ten minutes I was going to go back
14 to the hotel. I just wasn't that desperate about it."
15 That is Mr. Hinckley talking. No doctor said that, no
16 policeman said that.

17 "I just wasn't that desperate about it." He
18 repeats, "I just wasn't that desperate to act that afternoon."
19 Is that a driven man? By his own admission, by his own
20 admission he wasn't.

21 And then he said, "That just wasn't my plan."
22 Plan, that is his word, "plan". Also he says, "It was
23 raining and I wasn't going to stand around in the rain. It
24 was misting."

25 Now, if you are driven, if you are frenzied,

1 if you are compelled, are you going to be forced away by
2 the rain and the mist? I submit to you, I submit to you
3 that is the end of it. And that is Mr. Hinckley.

4 Dr. Johnson also told you that after March 30th
5 when she examined Mr. Hinckley during her 120-day period
6 during those 55 interviews, during the other sessions with
7 other doctors at her prison team there, he was never
8 psychotic, never out of touch with reality, had a good
9 memory about what happened on March 30th and she said that
10 Mr. Hinckley, when she examined him from time to time,
11 as she sat there looking at him, you know, face to face,
12 that his mental condition was just the same or even worse
13 than it was on March 30th. And Dr. Johnson said, "He wasn't
14 out of control when I talked to him, he wasn't psychotic.
15 He wasn't unable to conform his behavior to the law.

16 Now, ladies and gentlemen, I have had the
17 opportunity to summarize evidence that has transpired over
18 the last eight weeks and the opportunity will continue
19 after defense counsel speaks.

20 As you can see, over these last few hours I
21 have talked about, developed on these events up at the
22 Hilton Hotel and everything I said, even though it has
23 something to do with Mr. Hinckley's behavior before that
24 day, why it has direct connection to March 30, 1981.

25 When you hear defense counsel, hear him out and
listen carefully and see how much of what he says is about,

1 or relates to March 30, 1981. Because when all is said
2 and done that is the critical date at 2:25 p.m. On that
3 date is the critical time.

4 When all is said and done the evidence is the
5 plain, simple, unvarnished facts in this case is simply
6 there. That at that time and place this man, John Hinckley,
7 shot four people right down on the street at close range.

8 He shot the president in the chest. He shot
9 Mr. Brady in the head, Mr. Delahanty in the back,
10 Mr. McCarthy in the chest. Those are the facts and the
11 evidence undisputed.

12 I suggest to you the defense in this case so
13 far hasn't confronted those facts, hasn't dealt with those
14 facts and there are no amount of psychiatrists, psychologists'
15 writings, relatives, anybody else, movies, what have you,
16 Jodie Fosters in the world to come in and confront the
17 evidence that I have presented to you, can come in.

18 No amount of these things, no amount of these
19 psychiatrists or tests or writings or poems or lyrics or
20 what have you, can deny from this evidence a conclusion that
21 John Hinckley is guilty of each and every one of these
22 crimes and that John Hinckley is responsible, criminally
23 responsible for each and every one of these crimes.

24 You see, it all comes back to what I said this
25 morning. It all comes back to what John Hinckley said. He

1 said, speaking of himself with gun in hand up there at the
2 Hilton, "I will never have a better opportunity."

3 Thank you.

4 MR. FULLER: Good afternoon, Your Honor.

5 THE COURT: Mr. Fuller.

6 MR. FULLER: Will you give me a minute just
7 to --

8 THE COURT: Surely. Mr. Fuller, if you would
9 advise the Court when you are approximately one-half the
10 way through your argument, I will declare a recess.

11 MR. FULLER: I will do my best, Your Honor.

12 THE COURT: I beg your pardon?

13 MR. FULLER: I will do my best.

14 May it please the Court, ladies and gentlemen
15 of the jury.

16 Up until this time the last six or seven weeks
17 you have been the passive recipient of the evidence and
18 testimony introduced by counsel for the Government and
19 counsel for the defense. In a short while after my final
20 argument and rebuttal by the Government counsel, you will,
21 and after His Honor's instructions, you will become the
22 active, take the active role in this case.

23 And you will be charged with the responsibility
24 of determining defendant John Hinckley's responsibility,
25 legal responsibility for the acts of March 30, 1981.

1 I, in the course of my discussion this after-
2 noon, may allude to questions of law from time to time.
3 However, I recognize, and I urge that you take all your
4 instructions on the law from the Court, I do not intend to
5 usurp His Honor's authority in that regard.

6 In this context, however, I wish to focus
7 your attention on one very, very important principle of the
8 law and that is that it is the Government's burden in a
9 criminal case to prove the defendant's guilt to each and
10 every one of the alleged offenses beyond a reasonable
11 doubt.

12 His Honor will elaborate upon the definition of
13 reasonable doubt. I suggest for simplicity sake in my
14 discussion today that a reasonable doubt, as the name implies,
15 is a doubt based on reason.

16 It is a doubt that would cause a reasonable
17 person to hesitate or pause in the graver or more important
18 transactions of your lives.

19 In reviewing the evidence with you, as I will
20 do in the next hour or so, I ask you to bear in mind that
21 the Government has that burden. The defendant need not
22 prove his innocence. The Government must prove his guilt
23 beyond a reasonable doubt.

24 The purpose of my final statement to you is to
25 review with you those salient facts which we believe presents

1 the theory of the case, which demonstrates defendant's
2 lack of responsibility and failure of the Government to
3 discharge its burden of proving guilty beyond a reasonable
4 doubt.

5 Now, you may remember in the opening statement
6 of six weeks, whatever, ago, the defense acknowledged
7 defendant's tragic shooting of four innocent victims on
8 March 30, 1981.

9 Essentially, the 13-count indictment which charges
10 this defendant with multiple crimes and offenses is
11 uncontested except as to one issue.

12 That issue is, of course, as you are well aware,
13 whether the defendant was legally responsible for his acts
14 on March 30, 1981.

15 I have to say to you that because of the nature
16 of the offenses, because of the seriousness of the injuries
17 inflicted on the innocent victims, on their families and
18 on their friends, your duties as jurors is particularly
19 difficult. I will ask you, in considering this case, to
20 put aside some of the horror of the events of March 30
21 as it does not relate to the defendant's mental condition,
22 his mental responsibility.

23

End M

24

25

1

1 We all share, we all recognize the shock and
2 tradegy of what transpired on March 30th, 1981. However,
3 it is your sworn duty to decide this case upon the evidence
4 introduced in trial and upon the law as Your Honor will
5 instruct you. I do, in this context, ask you to put aside
6 emotional reactions to the nature of the offense.

7 Mr. Adelman has this morning presented you with
8 any number of exhibits, each of which on its face, is very
9 distressing. The revolver alone, the photographs, moments
10 before the President was shot, the photograph of Agent
11 Tim McCarthy and the defendant is present. They are highly
12 emotionally charged documents. I recognize that.

13 But I also recognize that those, as they do not
14 reflect, as those pieces of evidence do not reflect upon
15 this defendant's mental state, upon his legal responsibility,
16 I have to ask you to put aside whatever passions are aroused
17 by the quality of that evidence.

18 There is other evidence, Mr. Adelman has not
19 offered it this morning, but it is also a very distressing
20 quality. Bullets, bullet fragments, rendering of the wounds
21 suffered by the President and by James Brady. That is highly
22 emotional evidence. I recognize that. Again, I ask you to
23 put that aside.

24 Now, as I indicate, we did, in our opening state-
25 ment, concede essentially all of the facts alleged in the

1 indictment, but it was the Government's right and it had
2 the right to do so, to proceed to prove the defendant's
3 involvement, culpability for the shooting of March 30, and
4 we could see that ready the defendant did indeed discharge
5 a revolver that wounded four innocent victims. We conceded
6 throughout defendant's purchase of guns, the stalking, his
7 presence in Washington on March 30th, his arrival at the
8 Hilton and his actual shooting of the guns. We admitted
9 the discharging of Devastator bullets, although I point out
10 to you not by way of any strong defense but I urge you not
11 to be overwhelmed by the use of Devastator bullets.

12 I think you should recognize all bullets are
13 lethal. And I don't think that the Devastator bullet is
14 particularly significant here. In the presentation of the
15 Government's case, it, of course, enjoyed the presumption
16 of sanity and it was not until we, the defense, had raised
17 the issue of insanity and offered evidence on that question
18 that it became the Government's burden to prove beyond a
19 reasonable doubt that the defendant was legally responsibly
20 on the day in question.

21 So, as I said a moment ago, the only issue before
22 you was whether the Government has met its burden of proving
23 beyond a reasonable doubt that the defendant was not
24 suffering from mental disease on March 30th, 1981, or that
25 if he did suffer from such a disease or defect, the question

1 then is whether the Government has proved beyond a reasonable
2 doubt that the defendant nevertheless had the substantial
3 capacity to conform his conduct to the requirement of the
4 law and to appreciate the wrongfulness of his conduct.

5 Now, initially, I want to review the evidence
6 the Government has offered on these two issues.
7 Mr. Adelman made much this morning of the quality of the
8 so-called lay witnesses. There were two of those witnesses
9 who had observed Mr. Hinckley prior to the shooting on March
10 30th, and I believe there were four additional witnesses
11 who had seen him following the shooting.

12 Virginia Aucourt was a housekeeper at the Golden
13 Hours Motel and testified that the defendant had spent
14 approximately two weeks at her motel and she observed him
15 to be warm and outgoing. But she told us that she had tried
16 unsuccessfully to befriend the defendant and her efforts
17 went unrewarded. Indeed, you may recall that she actually
18 had extended an invitation for the boy to come to dinner
19 at her home and he declined to show up.

20 I suggest to you that this is very relevant and
21 consistent with this defendant's behavior of being totally
22 aloof, totally withdrawn, unable to have interpersonal
23 relationships.

24 I think it is obvious from Mrs. Aucourt's
25 testimony that the defendant exposed no sense of what he
was all about.

1 Mrs. Aucourt did not even know that the defendant's
2 family lived in Evergreen, Colorado. She knew nothing
3 about his background. She assumed he was from Texas
4 because he had a Dallas, Texas sticker on the car and had
5 Texas plates.

6 She made one very interesting observation regarding
7 the personality of John Hinckley, which I think is a
8 theme which I'll allude to later on in the course of my
9 discussion and that is that the defendant was very able
10 to play with her young children.

11 What I suggest to you is that the defendant, in
12 the mental condition he was in in March of 1981, and
13 many years prior thereto, permitted him not to share
14 experiences with his peers, his contemporaries, his colleagues.
15 He could only relate to those people, those persons who
16 did not pose any kind of a threat to him.

17 I suggest that Mrs. Aucourt's observation of
18 Mr. Hinckley's playing with her children is consistent with
19 that analysis.

20 I think you have to conclude really that
21 Mrs. Aucourt's exposure to the defendant was of such a
22 limited nature and of such shallow quality that she never
23 knew the defendant Hinckley.

24 Her observation that he was quite, that he was --
25 was withdrawn, tell us nothing. Because these are qualities

1 that are as consistent with the existence of psychosis as
2 consistent with the absence of psychosis.

3 I think His Honor will instruct you in considering
4 the weight to be given to lay witnesses that you should
5 consider whether they had, whether those lay witnesses
6 had prolonged and intimate contact with the defendant.

7 In other words, casual short-term observations
8 don't significantly add to the weight you might give an
9 opinion that someone looked normal. He looked okay to me.

10 Mrs. Aucourt, I believe, described, as Mr. Adelman
11 said this morning, that the defendant was an all American
12 boy. I'll come back to that later also.

13 The second lay witness to see the defendant before
14 the shooting was the housekeeper at the Park Central Hotel,
15 Mrs. Kondeh. I suggest to you that her observations of the
16 defendant on March 30 were similarly impaired. There was
17 practically no conversation between them at all except a
18 request having to do with a pillowcase and the request by
19 her that he step aside and let her proceed, I believe, into
20 the bathroom.

21 I believe she testified that her contact, at most,
22 was ten or 15 minutes. Once again, I suggest to you that
23 those contacts were not of a prolonged and intimate nature
24 so as to permit any substantial meaningful observation to
25 be made of this defendant.

1 Now, the second category of lay witnesses are those
2 persons who saw the defendant in the hours following the
3 shooting on March 30. Dr. Brownlee was the first witness
4 called. He testified that he is a retired deputy medical
5 examiner having been requested by Detective Myers to do a
6 physical examination on the defendant, to be sure that he
7 was not suffering from any particular injuries which needed
8 attention.

9 He described initially, he described his interface
10 with the defendant to take approximately 30 minutes in the
11 presence of between two and four federal law enforcement
12 officers.

13 I suggest to you in a room -- by the way, I think
14 he described as 10 by 15 or 10 by 12. I suggest to you that
15 the conditions in which the medical examiner's conduct do not
16 lend themselves to any accurate assessment of what had been
17 going on in the defendant's mind.

18 I believe all he did was respond to questions of
19 Dr. Brownlee. Dr. Brownlee admitted that he did not conduct
20 any kind of a psychiatric evaluation. He took no psychiatric
21 history. But he did say, and I find this interesting, that the
22 defendant was not depressed. Not at all I believe were his
23 words.

24 I'll remind you in the course of our examination
25 of Dr. Dietz, he related in his interview of Dr. Brownlee
and quoted Dr. Brownlee as saying the defendant, Mr. Hinckley,

1 was not extremely depressed. A slight shade from what
2 Dr. Brownlee said on the witness stand.

3 I do remind you that in the interview Dr. Dietz
4 took place some, I believe, six to eight weeks after the
5 shooting and certainly closer to the shooting than his
6 testimony at this trial.

7 Again, under the circumstances to which Mr. Hinckley
8 found himself on March 30, 1980, I suggest you consider
9 another factor and that is that the absence of depression
10 suggests a blunted affect, a quality of emotionlessness
11 which as we will come back to later, is a personality
12 characteristic common to the mental disorders of some of our
13 psychiatrists have described.

14 The next witness to testify as a lay witness was
15 Detective Myers, who, as Mr. Adelman indicated earlier I
16 think, was with Mr. Hinckley from somewhere in the neighbor-
17 hood of 2:45 to 3:00 through the balance of the day to about
18 10:00.

19 Mr. Myers observed defendant to be passive,
20 cooperative, just quiet and in control, responsive. Once
21 more, I suggest to you that these observations of
22 Mr. Hinckley's demeanor are not inconsistent with a mental
23 disorder existing at the time. They are highly indigenous
24 to that and might even suggest to you a blunted or a flat
25 affect.

1 Interestingly enough, Detective Myers, in spending
2 "a bit of time with Mr. Hinckley," did learn from
3 Mr. Hinckley that Hinckley had no friends. He learned that
4 the explanation as to why Mr. Hinckley had fired a shot at
5 the President would be found in his hotel room presumably
6 that is the letter to Jodie Foster. Presumably that's the
7 transcribed tape recordings which you heard during the
8 course of the evidence.

9 Mr. Adelman pointed out at one point in discussing
10 Eddie Myers that defendant Hinckley had initially denied
11 knowing anything about the shooting.

12 Once again, when you recall the cross-examination
13 of Dr. Dietz, and his interview memorandum of the defendant,
14 Dr. Dietz reported Eddie Myers as saying to the defendant
15 do you know what you are charged with?" Answer: "No, I
16 don't." "Well, you are charged with shooting the President."
17 Answer: "I don't know anything about that."

18 I suggest to you that the defendant did not deny
19 knowledge of the shooting, he simply did not know with what
20 he was charged at that point. Again, the next agent,
21 the next lay witness was Secret Service Agent Carlton Spriggs
22 who saw the defendant for approximately 20 minutes as the
23 defendant was transported from the Hilton Hotel to the
24 Central Cell Block. In that 20-minute period the defendant
25 uttered four words, it is my recollection. "The handcuffs
 are too tight."

1 Later that evening, when Mr. Hinckley appeared
2 before the magistrate, Agent Spriggs heard two more words,
3 "Yes. Yes," in response to questions addressed to him by
4 the magistrate.

5 Aside from the verbal expressions uttered by
6 Mr. Hinckley, Mr. Spriggs said the defendant appeared calm
7 and unemotional. No facial reaction. I suggest to you that
8 at best this once more suggests a blunted or a flattened
9 affect.

10 The last lay witness you heard from was FBI Agent
11 Quilia. Mr. Adelman this morning described or suggested
12 Mr. Hinckley's rationality by virtue of the fact he discussed
13 the NCAA tournaments and also discussed the Academy Awards
14 ceremony.

15 If you recall, Agent Quilia, he testified that
16 other agents were discussing those events in Mr. Hinckley's
17 presence. In the course of those conversations, Mr. Hinckley,
18 as a bystander, made inquiries regarding those events.

19 Mr. Hinckley was not initiating conversation
20 regarding such topics, but he was overhearing them and he
21 was trying to engage.

22 Quilia also observed, which he said some slight
23 depression. Occasionally he had blank stares. You recall
24 the Government doctors, that the defendant, while concerned,
25 was not shaken like other people we arrest. That reminds me,

1 Dr. Brownlee, when he was describing the defendant's
2 reactions as being calm and cool, said he reacted
3 in an unusual manner. It certainly would not have been the
4 way I would have reacted if I just shot the President. Had
5 I just perpetrated those offenses.

6 I point that out again to emphasize that the
7 lay witnesses, the Government has offered to you here today,
8 do not at all corroborate or support the Government's burden
9 of proving lack of mental disorder or lack of mental
10 responsibility, but they corroborate the testimony of the
11 defense psychiatrists that the defendant had a flat affect.

12 He was emotionless. It is hard to imagine how
13 an average person could commit a crime of this magnitude
14 and sit and be without emotion. But that is how the
15 Government witnesses have portrayed him.

16 And I point out one other thing: Dr. Dietz, in
17 the course of his evaluation, testified on cross-examination
18 that throughout his examination he observed the defendant
19 to have a flat or blunted affect.

20 Now, moving on through the expert witnesses the
21 Government called, several general observations regarding
22 both Dr. Johnson and Dr. Dietz. I believe that in each
23 instance those psychiatrists chose to ignore the kind of
24 existence this defendant lived in in the seven years prior
25 to March of 1981.

1 And don't be misled by Mr. Adelman's suggestion
2 that only March 30, 1981 should be considered. Is there
3 no way in this world that Mr. Hinckley or anybody else would
4 become instantly insane on March 30, 1981? It took years
5 and years of growth of the disease or disorder to lead to the
6 state of mind on March 30, 1981. So do not be misled by
7 Mr. Adelman's challenge that I should focus only on
8 March 30, 1981, because the question is not only what was he
9 like then, but to show what he was like we must look at how
10 he got there.

11 I believe the Government psychiatrists played
12 that down. I think they also trivialized the frenetic
13 behavior of the defendant over the months preceding the
14 tragedy of March 30, 1981. You look at the Government's
15 charts. You can see them from this distance. 221A and 221B
16 and you look at the absolutely absurd travel pattern pursued
17 by this man starting on September 17th and running through
18 March of 1981. On its face, it is irrational, purposeless,
19 aimless.

20 Another flaw, I believe, in the Government's
21 psychiatrists is their assumption of a quality of normalcy
22 between the defendant and his parents suggesting that there
23 existed what I would call normal interpersonal relationships
24 between this defendant and his family.

25 Sally Johnson described these as being the

1 defendant's interpersonal relationships. I'll go back to
2 that in a while. But I think the record bears out -- I
3 think the testimony of the Hinckley parents shows that for
4 many years they experienced great difficulty with their son.

5 Moving on to Sally Johnson: As she testified, she
6 conducted a psychiatric evaluation at the federal correctional
7 institution in Butner, North Carolina. With respect to her
8 I have another threshold observation to make and I don't
9 believe it should be taken lightly. This defendant was
10 emotionally deprived for a period of at least seven years
11 prior to his being interviewed by Sally Johnson. He had
12 not had a single meaningful conversation with a man or a
13 woman that we know of that entire seven-year period excepting
14 perhaps his parents.

15 We all know our relationships with our parents
16 are peculiar. They are to be considered a little different
17 from our relationships with our friends, our associates,
18 our working companions, our peers. At the time that
19 Sally Johnson interviews start in April of 1981, this, I
20 suggest to you, I submit to you, was the first opportunity
21 this young man had to speak to a woman about any idea that
22 he had harbored for the last seven years. And I superimpose
23 on that premise and additional suggestion that it being a
24 woman Mr. Hinckley being a male, wanted to put a good light
25 on himself.

1 I do not suggest to you that he went out to
2 deceive Sally Johnson. I simply say to you, but where an
3 answer -- he could be put in a more favorable light by
4 giving answer A than answer B, he would give the more
5 favorable answer.

6 I think what this does, as a result, in a shading,
7 if you will, of Sally Johnson's overall impressions and
8 evaluations of this defendant. As an example of the
9 things the defendant did not volunteer were the kidnapping,
10 the highjacking, the reference to Napoleon and Josephine,
11 which is in evidence. The photograph.

12 On another element, another note and one I find
13 fairly inconsistent in Sally Johnson's efforts to do a
14 diagnosis of this defendant comes from the doctor's
15 observation that John, as she called the defendant, was
16 often better able to express himself in writing than
17 orally.

18 Let's remember the previous seven years he
19 didn't communicate orally with anybody except for the most
20 basic common necessity. So far as we are aware, he had no
21 substantive conversations with anybody. He had no friends.
22 He had no listening post. He had no one who expressed
23 any interest in him. But he spent a great deal of time
24 writing.

25 And Sally Johnson recognized that he wrote well

1 and expressed his feelings well in writing.

2 The contradiction, I suggest to you, is that the
3 witness, the expert forensic psychiatrist Sally Johnson,
4 did not read his writings and review them with the defendant.

End N

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

JLSEN/GeoK

1 I submit to you that the writings of this defendant,
2 some 106, of which 60 we have introduced in our evidence,
3 reveal some of the most confused inner thinking one can imagine,
4 from idolizing Jodie Foster to some kind of a god-like figure
5 to maggots crawling in his brain.

6 These writings were there. And I suggest that Sally
7 Johnson's failure to review these writings with the defendant
8 constitutes another flaw in her examination, her diagnosis,
9 her opinion.

10 I think Sally Johnson also overall -- in her overall
11 analysis tended to minimize John Hinckley's psychiatric symptoms
12 she saw born in the hopelessness, emptiness and loneliness.
13 But she distinguishes this from depression.

14 She gave little moment to any suicidal expressions
15 of the defendant, his weight change, ideas of reference.
16 In fact, both psychiatrists denied ideas of reference, but
17 I find it very strange that the defendant, when he was standing
18 in the position in this exhibit, could think that the President
19 saw him and him alone in that crowd of people.

20 I suggest to you that there was an idea of reference.
21 I suggest to you that Sally Johnson minimized the importance
22 of that event.

23 I call to your attention the autobiography John
24 Hinckley wrote for Dr. Hopper in November of 1981, in which
25 he and, I believe, in his concluding sentence said, "The two

1 obsessions of my life are writing and the woman I told you
2 about in our last meeting."

3 Sally Johnson substitutes the word "concern," "my
4 chief concerns for obsessions."

5 Again I submit she is playing down the psychiatric
6 symptoms. She describes the defendant as not being particularly
7 impulsive. Once again I submit to you this is contrary to
8 the facts as we know them and as they have been developed
9 in this case.

10 I refer you again to the exhibits against the wall.
11 If that isn't impulsive behavior, impulsive wreckless, senseless
12 behavior, I don't know what is.

13 She also downplayed the suicide expressions John
14 Hinckley had regarding the events of October 1980, which we
15 will come back to later, and also the February 14th event
16 in the Dakotas Apartments in New York.

17 Another area where she downplayed this defendant's
18 historical background, which is so important to how he got
19 to be in the condition he was in on March 30, 1981, and that
20 is his socialization.

21 She said, "He also showed few close friends through
22 a good deal of his life" -- "shared," I am sorry -- "He also
23 shared few close friends."

24 He didn't share any friends. He was friendless
25 at least since 1974. Dr. Dietz has confirmed that for us.

1 He didn't share a few friends. He was devoid of friends.

2 Again I submit Dr. Johnson is downplaying the very
3 strong and powerful evidence which is right before her eyes.
4 I want to allude for a minute to the psychological testing
5 that was done at Butner, I believe, at Dr. Johnson's request,
6 administered by Dr. Hilkey. Dr. Johnson testifying about
7 those tests stated, "If we look at the peaks on John's profile,
8 we would see an elevation of 2, 7 and 8. That is the vertical
9 lines as the primary pattern and that does indicate that
10 some feelings of depression have been verbalized on the test."

11 The height of the peak on two scales, minus values,
12 that is particularly indicative of a panicky response. Many
13 items are endorsed to indicate that a person at this particular
14 point in time is in a kind of reactive, panicky state.

15 Dr. Hilkey observed his responses to items were
16 completed in an honest, candid and mildly self-clinical
17 manner producing valid results.

18 Dr. Johnson also tended to minimize John's bizarre
19 conduct. On cross-examination she was asked whether Mr.
20 Hinckley's imitation of the hero, of the main character,
21 Travid Bickle, in "Taxi Driver" was not bizarre, and she thought
22 not.

23 Whether the goals in stalking considered in the
24 September effort to reach Jodie Foster were bizarre? And
25 she did not think so.

1 Mr. Hinckley's establishment and proposal of the
2 American Front was characterized as not being bizarre.

3 The kidnap plans, the hunger strike again were events
4 explained away as being unimportant, insignificant and not
5 serious.

6 At one point in her testimony Dr. Johnson appeared
7 to tell us she made a direct inquiry of the defendant whether
8 "you, John Hinckley suffered from delusions," and receiving
9 a negative reply, accepted that.

10 I think we have learned from this case that a person
11 in a deluded state is the last one who will admit it, delusion
12 being a false, fixed idea that no one can shake him from despite
13 the evidence to the contrary.

14 She also conceded by the way that when the defendant
15 was left alone, he would retreat to bizarre thinking.

16 I quote from Dr. Johnson: "I had talked about the
17 fact he made an initially good impression on people. However,
18 when alone he would retreat to bizarre thinking. Appears
19 to be still thinking about the opportunity to complete his
20 mission, although realizes he will not have the chance."

21 Dr. Johnson goes on to talk about the options
22 available to the defendant, starting in February. She
23 acknowledges that John was thinking of assassination, suicide,
24 harming Jodie Foster, harming himself.

25 I submit to you these ideations are bizarre. They

1 are not the thoughts of a normal person in control of his
2 thoughts.

3 Again in March John continues -- the defendant con-
4 tinues to consider his options, what to do with himself. Kill
5 himself, kill Foster.

6 She also adopts the various options which were
7 referred to by Dr. Dietz as alternatives to shooting the Presi-
8 dent: commit suicide, to go to New Haven and murder Miss
9 Foster and go to New Haven and murder himself in front of
10 Miss Foster or return to his hotel.

11 I suggest to you, ladies and gentlemen, these are
12 very strange options if they are offered as evidence of the
13 sanity, the lack of mental disease, the lack of psychotic
14 disease.

15 I by the way recognize Mr. Adelman plans argument
16 that Dr. Johnson described the fact that Mr. Hinckley put
17 his gun in his pocket as evidence he was able to conform his
18 conduct to the requirements of the law. He didn't tell his
19 parents.

20 That is evidence he was able to appreciate the wrong-
21 fulness of his conduct.

22 Ladies and gentlemen of the jury, I submit to you
23 that Mr. Hinckley, as I will come back later, at the time
24 of these events was living in such a self-contained world
25 with no outside checks, no possibility of there being any

1 realities, that he was unaware of anything except his goal
2 and his goal was to achieve the love and admiration of Jodie
3 Foster.

4 I will get back to that.

5 Now the second expert called by the Government was
6 Dr. Dietz, a forensic psychiatrist. By the way, before I
7 leave Dr. Johnson, one more point of observation.

8 I don't say this to be critical.

9 At the time of her interviews of the defendant,
10 Dr. Johnson had been practicing forensic psychiatry for two
11 years. At the time of Dr. Dietz' interview of the defendant,
12 my recollection of his testimony is he had been practicing
13 forensic psychiatry for four years.

14 So in terms of the experience of the Government's
15 forensic experts you have a total time frame of six years
16 of experience.

17 Now Dr. Deitz was a member, as he described it,
18 of a four-man team and he, of course, was the only one on
19 that team to be called.

20 He described for us his team concept. He described
21 for us how on May 31, 1981 he and Dr. Cavanaugh and Dr.
22 Rappeport and Dr. Monahan -- no, I take that back.

23 He and Dr. Rappeport and Dr. Cavanaugh, the three
24 psychiatrists, all appeared at Butner, North Carolina together
25 to interview the defendant Hinckley for the first time.

1 I ask you to reflect how any one of you or any
2 normal person would react, to be confronted by three psychia-
3 trists at once to interrogate you about your personal thoughts,
4 about your personal background, your personal history.

5 I suggest to you that the entire process of the
6 Government's psychiatrist team got off to a bad start. I
7 think to proceed in that fashion had to result in intimidation,
8 in fear on the part of the Government. Indeed, you may remember
9 that a day or two after the interview of May 31st he explained
10 to Dr. Hilkey that he felt uncomfortable when interviewed
11 by the three Government psychiatrists.

12 I go back to Sally Johnson for one moment.

13 She, contrary to the procedures followed by the
14 Government psychiatric team, pointed out to us, and I am
15 quoting: "I think that you are better able to develop a rela-
16 tionship with a person that you are interviewing and put the
17 person more at ease so that they can feel comfortable in
18 sharing information about their life and answering the questions
19 you ask them more thoroughly."

20 That is referring to a one-to-one interview. "It
21 is also easier to maintain your train of thought, to follow
22 up on pieces of information with the defendant or inmate I
23 am working on, that they may provide to me so that if one
24 person is doing the interviewing, you don't get a scattered
25 interview."

1 I do not suggest by any means that all the efforts
2 of the Government psychiatrists were wasted, but I do suggest
3 to you that in terms of this defendant and his ability to
4 open up was severely impaired by the very way in which the
5 Government psychiatrists approached him.

6 Again I repeat: As a man who had not had social
7 interchange, had not had interpersonal relations with anyone
8 for at least seven years prior to these interviews and sud-
9 denly he is confronted with three psychiatrists, three forensic
10 psychiatrists whom he knows are potential witnesses against
11 him.

12 I contrast that procedure sharply to that followed
13 by the defense psychiatrists, all whom operate independently
14 of one another, all of whom interviewed the defendant separately
15 on a one-to-one basis.

16 I suggest that only with such interviews can the
17 appropriate confidence and trust between the psychiatrist
18 and the patient be established.

19 I see another flaw in the Government's approach
20 to the psychiatric evaluation, and that is one shared by Dr.
21 Sally Johnson: The failure of Dr. Dietz to review the physical
22 evidence of John Hinckley's writings.

23 I believe he testified he went through a series
24 of poems only to find out from the defendant whether they
25 were relevant. He did not review content. He merely said,

1 "Are they relevant?"

2 Another pile of documents which we offered he had
3 said, he never reviewed with the defendant whatsoever.

4 Again I suggest to you these are writings that were
5 written by this defendant two very critical months preceding
6 March 30th, a man who cannot communicate orally but can
7 express his thoughts on paper, and those papers are ignored.
8 Dr. Dietz suggests to you and would have you believe that
9 he should appropriately ignore the written poems of John
10 Hinckley because all poetry is fiction.

11 I submit to you that statement is fiction.

12 You may remember a series of questions which I pro-
13 pounded to Dr. Dietz regarding his interviews. I focused
14 particularly on one in which it was a joint interview of
15 Dr. Cavanaugh and Dr. Rappeport and himself, and I asked
16 him a series of questions about entries he made in his notes
17 and you will remember how proud he was of being such an accurate
18 notetaker.

19 He thought he was the best notetaker of all, so
20 when he could, he would write the report.

21 Well, on the July 12th report he didn't do so, but
22 his notes, interestingly enough, reveal things that -- I
23 won't go through them all.

24 The question to Dr. Dietz: "Do not your interview
25 notes recite the defendant stating 'feeling the lowest I

1 have ever felt. Didn't want to be in New York and broke.
2 I planned not to need money or'" ---

3 "Q Why not?

4 "A I thought I would be dead or in jail."

5 This is referring to Mr. Hinckley's state of mind
6 in March of '81 when he moved from New -- when he went from
7 New Haven to New York and called his parents. March 6th,
8 you may recall the testimony, he called his parents -- broke,
9 destitute, in despair, feeling the "lowest I have ever felt,"
10 didn't plan to need any money, "thought I would be dead or
11 in jail."

12 That was an interview note that did not find its
13 way into the memoranda of Dr. Cavanaugh and, remember, the
14 procedure was to dictate interview memoranda and then the
15 ultimate report would be based upon the interview memoranda.

16 Again another instance referring to the same inter-
17 view, referring to the same questioning and referring to
18 the same time frame of March of 1981: "Called parents from
19 New York City and defendant saying 'I was probably suicidal'."

20 Again the quotation "I was probably suicidal" was
21 omitted from the interview report.

22 And it goes on to say -- well, on page 94, I would
23 have to go through the rest of it to be sure it isn't --
24 but Dr. Cavanaugh dictated that report and did not include
25 these things.

1 I think you can ask Dr. Cavanaugh about this.

2 Now Dr. Dietz also took up other things I want
3 to call to your attention, which I think go to the quality
4 of his evaluation and his collection. He faulted Dr. Carenter
5 for, as he said it, suggesting that victims be characterized
6 as "bit players."

7 You heard Dr. Carpenter yesterday testify that that
8 was not his suggestion, but that it was a result of the
9 defendant's lengthy explanation of how he perceived the victims,
10 how he perceived these people to be his people, and it became
11 apparent to Dr. Carpenter that those people -- those victims
12 had no reality in the mind of John Hinckley, and it was in
13 that context that the suggestion, the term "bit players" arises.

14 He didn't suggest -- Dr. Carpenter didn't suggest
15 to this defendant that hereafter you refer to the victims
16 as "bit players."

17 Another point he suggests that we lawyers were
18 responsible for planted the idea that the Mark Chapman
19 assassination of John Lennon paralleled the activities of
20 the defendant in his activities.

21 I think this ignores several very salient factors,
22 salient points.

23 First and foremost is the testimony, uncontradicted
24 in this case, that the parents observed their son in December
25 of 1980 when he returned from the vigil in New York City

1 and they saw him as almost traumatized, in the deepest
2 depression he had ever been.

3 And probably most significant, Dr. Dietz' observa-
4 tion ignores the fact that on January 21, 1981 this defendant
5 went and purchased the same kind of revolver, a Charter-Arms
6 .38 caliber pistol, that Mark Chapman had used to shoot John
7 Lennon.

8 I submit to you that it was not we lawyers who
9 put into the mind of John Hinckley that he was patterning
10 himself after Mark Chapman. It was an idea that came from
11 the defendant and it came to his mind in the context of his
12 option of harming Jodie Foster.

13 I submit to you that he was thinking in the same
14 pattern that he would do it in the way Mark Chapman did.

15 I think the evidence of the defendant's preoccupation
16 with Chapman and Lennon is further evidenced in an exhibit
17 which is styled "I Received the News Today, Oh, No." which
18 is an exhibit in evidence, which is an essay written by
19 the defendant shortly after Lennon's death.

20 I think also the monolog, which I will come back
21 to later, of New Year's Eve clearly expresses the defendant's
22 grave and deep depression regarding the Lennon assassination.

End O

23

24

25

bs/ow

1 I think, finally, that the evidence that on
2 March 4 the defendant was on the Yale campus with a revolver,
3 with a gun in his pocket, suggested that it was he who was
4 imitating the life of Mark Chapman.

5 It was not we lawyers that suggested that he
6 draw the parallel.

7 Now, one of the themes Dr. Dietz seizes upon
8 to evidence the lack of severity of any mental disease,
9 of any mental disease, of the Defendant Hinckley is this
10 manipulation.

11 He recited a number of examples of manipulation.

12 But I think you could judge these examples in the
13 context of probably the most ludicrous of them all, and that
14 is in a letter that this defendant wrote to his grandparents
15 in January of 1981.

16 That also is in evidence.

17 He offered -- Dietz offered, as an example,
18 the defendant manipulating elderly grandparents for money.
19 He, Dietz, never bothered to ask the age of the grandparents.

20 He, Dietz, never bothered to ask about the
21 financial resources. He never bothered to ask the defendant
22 or the defendant's parents, how much money the grandparents
23 gave this defendant.

24 Indeed, there is no request for a nickel in the
25 letter.

ow P 2

1 I do not for a moment suggest to you that the
2 defendant is not capable of manipulation. We all are.

3 But so are the mentally ill.

4 And I think, if you reflect on the manipulation
5 described by the so-called Lynn letters in 1976 when the
6 defendant went to California, that those letters served two
7 purposes.

8 First of all, it helped him manipulate his parents,
9 but it also filled a very human need in John Hinckley's life.
10 A need for some kind of companionship. Crying out for someone
11 with whom he could associate.

12 Now your Dr. Dietz in his testimony stated that
13 he initially thought, when he first read about the shootings
14 of March 30, he initially thought that it was rather odd
15 behavior. That the goals described in the press, the media,
16 could reflect a serious mental illness.

17 After his engagement, as you know, of course,
18 he changed his mind.

19 But how does Dr. Dietz characterize the goal?

20 In picking up at page 6564, line 12:

21 "Well, from my general evaluation of Mr. Hinckley,
22 what that statement" -- meaning, "I accomplished what I
23 wanted to accomplish" -- "means to me is that he did, indeed,
24 intend to make an impression upon Jodie Foster, that he
25 understood that the impression he would make would, with an

ow P 3

1 act of this sort, was a traumatic one, not likely to win
2 affection, but one which would, indeed, impress upon her
3 who he is and cause her to remember him."

4 Line 18.

5 He believes he accomplished that goal, "which
6 shows that his goal was, indeed, reasonable, since
7 he accomplished it."

8 Going on to the next page, line 16:

9 "Well, this goal certainly seems like a very
10 odd one, and when I first heard that that was the goal prior
11 to my involvement in this case, I was impressed with such an
12 odd and in the lay sense crazy thing such a goal would be."

13 "After interviewing all these people, reviewing
14 all the facts, that goal made sense."

15 Line 22.

16 Well, I want you when you go to retire to the
17 juryroom, to take Mr. Adelman's advice, and look at Govern-
18 ment Exhibit 82, which is also N-15.

19 Look at some of the goals that Mr. Hinckley
20 expresses in writing on March 30, an hour and a half before
21 the shooting.

22 He refers to the faint hope that "you would
23 develop an interest in me. I give up this goal, give up this
24 idea of getting Reagan in a second, if I could only win your
25 heart and live out the rest of my life with you."

ow P 4

1 "By sacrificing my freedom, and possibly my life,
2 I hope to change your mind about me."

3 And finally he says: "I'm asking you, please,
4 to look into your heart and at least give me the chance
5 with this historical deed to win your respect and love."

6 That is not the goal Dr. Dietz talked about.

7 Dr. Dietz talked about a goal of impressing her.
8 Of getting her attention.

9 That goal, be it a goal achieved, the goal
10 Mr. Hinckley declared to be his goal in his letter of March 30,
11 those goals were not realistic. Not to be achieved.

12 I suggest to you that Dr. Dietz shaded his
13 definition of the goals in order to suit his diagnostic
14 purposes.

15 THE COURT: Mr. Fuller, would this be a convenient
16 time for a break? If not, you just indicate so.

17 MR. FULLER: Yes, this is agreeable; sure.

18 THE COURT: All right.

19 Ladies and gentlemen, follow the marshal.

20 (The jury left the courtroom.)

21 THE COURT: Come to the Bench, counsel.

22 (At the Bench:)

23 THE COURT: I'm advised that the marshals have
24 made arrangements, and there is no problem in sequestration
25 of the jury this afternoon. So that will proceed.

ow P 5

1 Secondly, I did interview the two jurors during
2 the luncheon hour. I'll report on the interview in a little
3 more detail at another time.

4 But I say this: I don't think it is serious at
5 all -- Well, it is serious. All of it is serious, but it
6 doesn't rise to the level of the other situations that we have
7 had.

8 You have the transcripts of yesterday afternoon?

9 MR. FULLER: Yes.

10 THE COURT: We will discuss that at a later
11 point, but I just wanted to keep you abreast of that develop-
12 ment.

13 I'll take a recess.

14 Mr. Fuller, how much more time do you want?

15 MR. FULLER: I'm very near halfway through.

16 THE COURT: All right.

17 MR. FULLER: I don't to be held to that.

18 THE COURT: Of course. I'm not holding you to it.
19 You have been a little bit more than an hour so far. And I
20 was looking at the jurors. They get restless after a while.

21 MR. FULLER: I get restless.

22 (Laughter.)

23 THE COURT: All right.

24 (In open Court:)

25 THE COURT: We will recess for a few minutes.

P ends

(At 3:35 p.m., the Court took a brief recess.)

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

THE DEPUTY MARSHAL: Remain seated and come to order. This Honorable Court is again in session.

MR. FULLER: May I resume, Your Honor?

THE COURT: Yes.

MR. FULLER: Five minutes of four o'clock, p.m.

As we broke a moment ago or a few moments ago, I alluded to what I call the definition of goals made by Dr. Dietz in analyzing John Hinckley and my suggestion to you is that goals that he stated the defendant achieved were those impressing Miss Foster as contrasted to the goals expressed in the March 30, 1981 letter.

And I suggest to you, ladies and gentlemen of the jury, that the true goals that are reflected in the March 30, 1981 letter are not only unrealistic, they are delusional. It is a delusion to think that you can assassinate or attempt to assassinate the President of the United States and gain the love and respect of a woman or anyone, but that is the declared goal and that is the best evidence of what was in Mr. Hinckley's mind on March 30, 1981, not what he said to Dr. Dietz or anybody else over the period of the next year.

Now, I want to make a few more observations about Dr. Dietz and his examination. I think the most significant one I have already made and that is that in

1 his self-described exhaustive review of the data base he
2 went to the Hilton, he went out to the Golden Hours Motel
3 and went through the closed door of Room 30 to see what door
4 Mr. Hinckley went in and out of. He didn't go in the room.
5 Certainly nothing to reflect Mr. Hinckley's state of mind at
6 any point in time.

7 But what he didn't do I repeat, he did not review
8 perhaps the most significant evidence available to anybody
9 analyzing this case, the Hinckley writings of late 1980 and
10 early 1981.

11 I think you can safely presume that Dr. Dietz's
12 colleague, Dr. Cavanaugh and Rappeport likewise failed to
13 conduct such a review.

14 I have already challenged, and I challenge again
15 and I ask you to reflect on Dr. Dietz's statement that all
16 poetry is fiction, therefore I didn't read it.

17 I think that is an insult to all of our intelligence
18 to suggest that all poetry is fiction.

19 For some it may be. For others it is a way of
20 expressing their innermost thoughts and that is the case of
21 this defendant and those expressions were ignored.

22 Before I move on, I want to call your attention
23 to some other lines of testimony of Dr. Dietz. He is
24 talking about forensic psychiatry and he was asked the
25 question, I believe on cross-examination, at 6791:

1 "Is there some advantage to be gained by you,
2 the forensic psychiatrist, not to treat the patient?

3 "Answer: Yes, there is.

4 "Question: What is that?

5 "Answer: Well, part of it is that it provides the
6 opportunity to remain more independent and objective in
7 one's assessment. Since the treatment of function involves
8 working with a patient" -- I am sorry, "more independent
9 and objective in one's assessment since the treatment
10 function involves working with a patient on the patient's
11 behalf. In forensic psychiatry one wants to be working
12 with an individual on behalf of the party who has requested
13 the evaluation whether that be the Court, an attorney,
14 whatever."

15 Now, I think that tells you a lot about the
16 approach of a forensic psychiatrist concerning the approach
17 of Dr. Dietz. It is confirmed by the approach they took
18 from the first interview. This concept of a team approach.
19 The intimidating approach to John Hinckley, almost accusatory.

20 It defeats the very purpose, the very threshold
21 position of a psychiatrist to delve into the mind of the
22 individual, to see what makes that mind work, what are the
23 emotional qualities there, are they there, are they healthy,
24 the reasoning qualities, are they healthy, are they there.

25 And as a forensic psychiatrist, I have one other

1 observation to make by Dr. Dietz, again on cross-examination
2 we are talking about the Charter Arm handgun that had been
3 purchased by the defendant and he questioned him:

4 "You do recognize, do you not, that he, Mr. Hinckley,
5 bought a Charter Arms revolver on January 21, 1981?

6 "Answer: Yes, I do recognize that.

7 "Question: Do you recognize that that is the
8 same kind of revolver that was used by Mark Chapman to
9 assassinate John Lennon?"

10 Now listen to the answer. "Yes, and as the
11 newspaper account recorded immediately after John Lennon's
12 assassination the Charter Arms .38 caliber revolver is
13 unlike other .38 caliber revolvers. It is only five
14 chambers rather than six, so the cylinder is smaller. It
15 lies flatter in the pocket and it is more readily
16 concealed and in addition it was the shortest barrel that
17 is one and one half inches of any commercially manufactured
18 revolver. It is called the undercover model because it is
19 so easily concealed."

20 My question was: "Was it not that Charter Arms
21 revolver the same kind of revolver that Mark Chapman used
22 to assassinate John Lennon?

23 "Answer: That is right."

24 My point is this: A very simple question with a
25 long volunteered answer to suggest the worst, the worst kind

1 of motive in the purchaser of the Charter Arms .38 revolver.

2 I think that is demonstrative of the approach
3 a forensic psychiatrist might take in a case of this kind.

4 Now, moving on to the defense case. I want to
5 call to mind several things Mr. Adelman said in his opening
6 remarks. He characterized the defendant at one point as
7 an ordinary person like any other young man, an all American
8 boy like any other fan. These are characterizations made
9 by Mr. Adelman at different times during the morning.

10 Ladies and gentlemen, that is patently absurd.
11 This defendant is unique in this sense: He lived a solitary
12 life. He was a prisoner of himself for at least seven
13 years before this tragedy, and I will address myself in a
14 few moments to what he did as a prisoner in those seven
15 years, but to call him an ordinary boy, an ordinary man,
16 an all American boy, is silly.

17 Now, the defense case breaks down perhaps to
18 four components. The testimony of the members of his
19 immediate family, the medical doctors that corroborated
20 some of the testimony of the immediate family, the writings
21 offered by the defendant which I have alluded to earlier,
22 and expert witnesses.

23 I think you all know the historical chronology
24 the parents gave. I think it is unnecessary to repeat it
25 today, but it does show one thing. It shows the gradual
deterioration of the human mind over a period of many years,

1 observed by lay people intimately associated with him,
2 having prolonged contact with him.

3 As a generality, the parents observed unusual
4 behavior in John as a young man and those oddities continued
5 through high school as he became more withdrawn and more
6 withdrawn, more solitary, without friends, more tied in his
7 own world playing the guitar.

8 He wouldn't play the guitar in front of his parents.
9 But he would play it in his room. I think the parents'
10 testimony evidences a good faith effort on their part in
11 their ignorance of mental illness to do their best to raise
12 their son.

13 I think they had great periods of depression,
14 great periods of frustration and certainly their hopes
15 were buoyed in the fall of 1980 when the defendant declared
16 his intention of going to the Yale writing school.

17 In fact, you may remember the testimony of the
18 defendant's brother who said that he was well on his way
19 to spend a good deal of time with the defendant to encour-
20 age him to boost his morale, to go on, get with it, get
21 into this. He said it was a great opportunity to take
22 advantage of.

23 However, as we know that hope was crushed and it
24 was a hope which probably was manipulative in nature because
25 the defendant Hinckley was embarking on the declining

1 process of this mental deterioration, as I have described,
2 which took place over many, many years.

3 I will move off the family and move on -- well,
4 I don't want to be repetitive. I will call your attention
5 first to Dr. Carpenter, who is associated with the Univer-
6 sity of Maryland and director of Maryland Psychiatric
7 Research Center, practicing psychiatry for 16 years,
8 not 16 as combined total of Drs. Johnson and Dietz, but
9 16 years. And one other thing I want to speak about.
10 The suggestion was made in this Court that Dr. Carpenter
11 had suggest a diagnosis of schizophrenia to the defendant
12 as though he were to adopt that as the party line for
13 this case. I think that is grossly unfair to Dr. Carpenter
14 and unjustified and unwarranted by this record.

15 Dr. Carpenter did testify that when he introduced
16 himself to John Hinckley, Mr. Hinckley asked what is your
17 area of specialization. Answer: Schizophrenia period.
18 To suggest that is telling the defendant you are hereby
19 diagnosed as schizophrenic is grossly unfair.

20 Indeed, Dr. Carpenter said it took him some time
21 before he reached a diagnosis, and certainly not a diagnosis
22 on the first interview.

23 He did ultimately diagnose the defendant as
24 suffering from process schizophrenia, which, as I have
25 described, an illness which began in early childhood and it

1 continued and became more severe as he grew older.

2 This disease or disorder, Dr. Carpenter describes
3 as having features of delusions. Dr. Carpenter also
4 recognized additional psychiatric disorders, such as
5 schizoid and schizotypal personality, again which are
6 perhaps subsets of schizophrenia in that.

7 There is one common characteristic, isolation.
8 He also, Dr. Dietz, I am sorry, Dr. Carpenter recognized
9 the presence of a major depressive episode in the
10 defendant.

11 I don't want to get enmeshed in labels. I
12 really want to talk about the personality characteristics
13 that we all lay people understand and we have already
14 delved into the isolation of the defendant starting in
15 his high school years, going on through college and by the
16 time he was a sophomore in college he had actually moved
17 off campus and started to live a solitary life, which
18 solitary life he lived through the fall of 1980.

19 And I want to point out by the way, that that is
20 solitary life, did not end in the fall of 1980. If you
21 reflect back on the testimony you will see that while he
22 was in the Evergreen home starting in August of 1980,
23 basically when he was home, the parents were away. When
24 the parents were home he was away. And at one point you
25 may remember Mrs. Hinckley testified, I believe it was
November 30th her husband was due home the next day and

1 John Hinckley left.

2 Indeed, you may recall the testimony of
3 Mrs. Hinckley that in September, the third week in
4 September, John having left for New Haven, came home
5 unexpectedly and rather than let her husband know that
6 John had come home she made John stay in the hotel that
7 night, so as not to aggravate the father.

8 I suggest this to you only because I want to
9 emphasize again that during this period from August of
10 1980 to March 30, 1981, there are no interpersonal
11 relationships.

12 I qualify that. I footnote that with this one
13 observation: The defendant had an interpersonal relationship
14 with a five-year old nephew. They played cards and trucks
15 or trains or whatever it was, hours on end over the
16 Christmas holidays.

17 This is analogous to the child that Mr. Hinckley
18 could play with, that is Mrs. Aucourt testified about.

19 He could have interpersonal relationships with
20 a child because the child possesses no threat.

21 I don't believe I need to track Mr. Hinckley's
22 college career, his very disconnected -- it was a semester
23 here, a semester out, but I do think it is important to
24 focus on one point in that career, and I will focus on
25 several, but first in the several is the spring of 1976

1 when John Hinckley impulsively went out and he promised --
2 abruptly sells this automobile and goes to California
3 to become a rock star or become a song writer. Unrealistic
4 absolutely unrealistic. He had not had one moment of
5 training in music.

6 And he believe he would come on the front of
7 Hollywood and be an instant success. Needless to say,
8 he was a total failure and it resulted in his depression,
9 despair and disappointment.

End Q

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

bs/ow

1 He made another aborted effort, I believe in 1978,
2 where the doctors testified he went to Nashville again with
3 great expectations of being a rock star.

4 Once again his hopes were dashed, because, obviously,
5 these were unrealistic goals.

6 Whether at that point in time they are psychotic,
7 obviously we are not qualified to address that.

8 You should consider that, though, in your delibera-
9 tions. Because, at the same time he is doing those things
10 he is creating -- Dr. Carpenter, you may remember, testified
11 about the American Front, and an exhibit was introduced in
12 the course of Dr. Carpenter's testimony about the American
13 Front.

14 It was reams of pages. Reams. It was lists of
15 names. All made up. All out of this boy's imagination.
16 Not one iota of relationship with reality. But a product
17 like the product of going to Hollywood, the product of going
18 to Nashville, of this boy's living a life of total isolation.

19 He lives in a world where the only reality is that
20 which he makes for himself. That which he defines for himself.
21 His only experiences in the outside world as we think of it
22 are things like eating, for instance, eating food. Ultimately,
23 travel.

24 That's not contact with the real world. That is
25 not being exposed to the checks and balances we all need in

ow R 2

1 our everyday lives, to know that we are making sense in our
2 activities.

3 He had no such checks. The only checks he had
4 were those that he had built up in his mind. It is in this
5 period in 1979 that John Hinckley purchases his first weapon,
6 I believe in August.

7 I point out -- I should go back a moment to 1976,
8 briefly, and recall to your mind that it was in that period
9 when he was alone in Hollywood, alone in Hollywood, that he
10 saw the movie Taxi Driver, and he made identification, sympa-
11 thized with Travis Bickle. I can't quite call him a hero.
12 You saw the movie. Characterize him as you will.

13 But John Hinckley saw him as a loner, as he,
14 Hinckley, was a loner. Isolated. Angry at what he saw in the
15 outside world. Unable to establish any relationship in that
16 world that he saw.

17 In 1979, you do see definite signs of mental
18 disturbance. Not just the purchase of the gun, but also you
19 may remember in November 1979 a draft of a letter to his
20 parents which was never sent.

21 Mr. Adelman this morning urged you to read that
22 letter as an example of Mr. Hinckley's exploitiveness or --
23 what shall we think of, the word to use? -- entitlement.
24 His sense of entitlement.

25 I think more important is to look at it and to

ow R 3

1 observe how it reveals the defendant's self-image.

2 He is almost paralyzed. In fact, as the record
3 shows, he ultimately is so paralyzed during the holidays of
4 1979 he can't even go home. He can't face his family in 1979,
5 he is in such a state of depression.

6 Indeed, as Dr. Carpenter testified, in that
7 period of 1979, the fall, he had suicidal ideas to the extent
8 that he played Russian roulette on a number of occasions.

9 I'll admit that is self-reported. But that
10 is all we have here.

11 It is confirmed, I think, the idea is confirmed
12 by the existence of the photograph which is in evidence
13 and which you will have available to you in your jury delibera-
14 tions, which shows a very, very distressing picture of the
15 defendant with a gun to his head. Much in the likeness of
16 the character Travis Bickle from Taxi Driver.

17 It is a sorry image. A sorry self-image, if
18 you will, that this defendant photographed of himself in late
19 '79 or early 1980.

20 In 1980 we know that the defendant's somatic
21 complaints increased to such a point that his parents became
22 concerned and brought him home. And they had him checked by
23 a group, I think two medical doctors at least, Dr. Harvey
24 and Dr. von Rueden.

25 The Government seizes right away the fact that

ow R 4

1 Dr. Harvey observed no mental problem with the defendant.

2 Ladies and gentlemen of the jury, I submit to you
3 that the mental problem that the defendant was suffering from
4 by the end of 1979 and by early 1980 was so deep, so deeply
5 rooted in himself that it would take hours and hours of
6 psychiatric examination to ferret it out.

7 Something far beyond the capacity of a medical
8 doctor to do.

9 I think the only observation which is reported
10 in this regard, I think, is the notation in one of the
11 medical records that the defendant's weight at that point in
12 time, I believe in February of 1980, was 230 pounds.

13 The earlier Texas Tech records, clinical records,
14 taken some several years before, showed him to be 165, 170
15 pounds. An extraordinary gain of weight. An extraordinary
16 gain of weight.

17 We all know that the defendant became aware of
18 Jodie Foster attending Yale in May of 1980.

19 We have heard testimony that he became fascinated
20 and enchanted with Miss Foster and starting in 1976, with
21 the movie Taxi Driver. When he saw in 1980 that she was in
22 Yale, he lives in a world, builds a new goal. And Miss Foster
23 becomes the focus of the defendant's attentions.

24 You all know in August the defendant returns
25 home and was examined by Mr. Hinckley, Sr.'s, company

ow R 5

1 psychiatrist, who urged the family to adopt some type of
2 plan for the defendant so he had goals so he could see today
3 where he is going to be next year or next month.

4 That results in what I suggest is a manipulative
5 effort of the defendant to get money from his family so
6 he can go and establish a relationship with Jodie Foster.

7 I submit that is what he did in September of 1980.
8 He continued to pursue that relationship up through and
9 including March 30, 1981.

10 By the way, you did hear the telephone recording,
11 telephone transcripts, at least one, maybe two, between the
12 defendant and Miss Foster which took place in September.

13 I point out to you that it is not quite
14 accurate to say that the defendant did not try to communicate
15 with Miss Foster thereafter by phone, because, if you would
16 look at Exhibit N-17, you will find that the telephone long-
17 distance phone records of the Hinckley's home in Evergreen,
18 you will find a long-distance telephone call to New Haven,
19 and, if you check that number with the number found in the
20 defendant's wallet when he was arrested, you will see it was
21 a phone call to Miss Foster in January.

22 In any event, the defendant goes to New Haven
23 and, as you can reasonably expect, there is no relationship.
24 No real relationship to be established with Miss Foster.

25 And in reaction to that, I don't think a

ow R 6

1 realistic reaction, but in reaction to that the defendant
2 is angry. He is distressed.

3 Again, the identification with the film Taxi
4 Driver, he thinks of a way to remedy this.

5 His remedy then becomes to stalk President Carter,
6 which he does on several occasions in October of 1980.

7 And, as you know, he changes his focus of that
8 stalking to President Reagan following the election in
9 November.

10 Again, I suggest the ideation, the thought,
11 that by stalking the President of the United States he could
12 in some way establish a relationship with the young woman is
13 bizarre.

14 I submit to you that it is a result of a serious
15 mental illness in which the defendant's relation to reality
16 in the true meaningful sense has been severed, has been
17 impaired.

18 I suggest that impairment continues in the months
19 following September and through the whole fall of 1980.

20 Ultimately it leads to frustration on the part
21 of the defendant and leads him to his home in Evergreen
22 in October when he attempts suicide by taking an overdose,
23 I believe Surmontil, which had been prescribed by Dr. Rosen
24 the previous summer.

25 This act, of course, results in the parents

ow R 7 1 referring the defendant to Dr. Hopper. And, once again, I
2 urge you to reflect on the relationship between Dr. Hopper and
3 this defendant.

4 The first communication between the two, if my
5 recollection of the record is correct, is Dr. Hopper calling
6 the defendant and asking him whether or not is it true
7 that you, John Hinckley, attempted suicide.

8 And the defendant denied it.

9 I submit to you that that was an unfortunate
10 way for a psychiatrist to establish a relationship with a
11 patient. I think one of the most important means we have
12 of communication at whatever level is eye contact, and for
13 Dr. Hopper, never having laid eyes on this defendant, to
14 accept his word that he was not suicidal, tells this defendant
15 Dr. Hopper doesn't really care.

16 I suggest to you that the entire relationship with
17 Dr. Hopper was an unfortunate one. I don't blame Dr. Hopper.
18 I don't blame the defendant.

19 I say to you that at that point in time, in
20 October of 1980, this defendant's mental condition had
21 deteriorated to such a state that he was unable to communi-
22 cate his innermost thoughts to anyone.

23 The slight effort he made, he gave a signal.
24 He gave a written signal to Dr. Hopper that he was obsessed
25 "with the woman I referred to last week."

ow R 8

1 Jodie Foster.

2 And I think through no fault of Dr. Hopper's
3 he thought that was simply a young man's fancy with a movie
4 actress.

5 I do not believe he had the slightest appreciation
6 of the seriousness and the intensity of John Hinckley's involve-
7 ment with Jodie Foster and John Hinckley's unreal expectation
8 that he would one day have a relationship with Jodie Foster.

9 I think the failure of the defendant to reveal
10 his activities through the months of October, November,
11 December, and January, to Dr. Hopper are a reflection of
12 Mr. Hinckley's inability to communicate.

13 I think it is unfortunate that Dr. Hopper didn't
14 pursue John Hinckley's whereabouts when he missed appoint-
15 ments, but apparently that wasn't done.

16 I don't know that it would have done any good, but
17 it didn't happen.

18 Another impediment to there being any meaningful
19 relationship between this defendant and Dr. Hopper was
20 the fact that Dr. Hopper was talking to the defendant's
21 parents. Not that he was giving him therapy, but Dr. Hopper
22 I believe in efforts to help the defendant thought it might
23 be useful to get insight from his parents.

24 But what was the result? The defendant sees this
25 as Dr. Hopper being simply a conduit of information for him,

OW R 9

1 John Hinckley, through Dr. Hopper, back to his parents.

2 And he does not want his parents to know what he
3 is up to because he knows that were he to reveal to his
4 parents that he had been stalking President Carter, that he
5 had been stalking anybody, that his parents would have taken
6 swift and severe action, so the defendant wouldn't tell him.
7 The defendant wouldn't tell him anything.

8 That is not evidence of appreciation of wrongful-
9 ness. That is not evidence of ability to control or conform
10 your conduct to the requirements of the law.

11 The defendant's actions are the actions of a
12 psychotic who had a fear that he was sick, and like many ill
13 people afraid to reveal it for fear of the consequences.

14 Again, I was going to call -- I was going to ask
15 you to read documents regarding some of the poetry that the
16 defendant wrote during this critical period, but I won't do
17 that, to save time.

18 I do want to call your attention to several
19 poems, though, or several pieces of evidence.

20 The "Prince Valium" poem, I think, is particularly
21 important because I believe it will show you the defendant's
22 thoughts about Jodie Foster, just as the poem "Amen" will.

R ends 23 When you take it back to the juryroom.

24

25

SHOWERS/GeoK,

1 Another very, very significant piece of evidence,
2 however, I do want to call your attention to with a little
3 more detail and that is the New Year's monolog of New Years
4 1981.

5 I will not read it all.

6 This is Mr. Hinckley speaking to a tape recorded:

7 "John Lennon is dead. The world is over. Forget
8 it. . . . It's just gonna be insanity, if I even make
9 it through the first few days. . . .I still regret having
10 to go on with 1981 . . . I don't know why people wanna
11 live.

12 "John Lennon is dead. . . . I still think -- I still
13 think about Jodie all the time. That's all I think about
14 really. That, and John Lennon's death. They were sorta
15 binded together. . .

16 "I hate New Haven with a mortal passion. I've been
17 up there many times, not re -- stalking her really --
18 but just looking after her. . . . I was going to take
19 her away for a while there, but I don't know. I am so
20 sick I can't even do that. . . . It'll be total suicide
21 city. I mean, I couldn't care less. Jodie is the
22 only thing that matters now. Anything I might do in
23 1981 would be solely for Jodie Foster's sake."

24 Going on: "My obsession is Jodie Foster. . . I've
25 gotta, I've gotta find her and talk to her some way

1 in person or something. . . . That's all I want her
2 to know, is that I love her. I don't want to hurt
3 her. . . . Sometimes I think I'd rather just see her
4 not, not on earth, than being with other guys. . . I
5 wouldn't want to stay here on earth without her."

6 That is not exhaustive, but it is representative,
7 I believe, of the thinking of the defendant at that time.
8 I think it reflects a very disturbed state of mind, a state
9 of mind which is totally detached from reality.

10 And unfortunately there is no one to check, no one
11 to test that reality with John Hinckley.

12 Again, while he is at home he is alone. You may
13 remember, in fact, I think, at the Christmas holidays that
14 year his family described his situation at a dinner table
15 when he simply hung his head and was almost limp for a period
16 of minutes and got up and left the table.

17 He hadn't communicated with his own family.

18 We know -- well, again you can look at Exhibits
19 221-A and B, and you can track very closely the defendant's
20 travel through the months of the early fall and winter of
21 1981. And I think these are all consistent with what I am
22 suggesting to you now, that the defendant's motivating, driving
23 forces are unreal, that the detachment from reality as you
24 and I know it to be.

25 There develops or starts to develop now in January

1 of 1981 a new crisis in the defendant Hinckley's life. It
2 is not clear, at least not clear to me, but one way or the
3 other a plan is devised between the Hinckleys, including the
4 defendant, and Dr. Hopper to set certain goals for the goals
5 for the defendant.

6 I believe the goal was on March 1 he was to have
7 a job and be financially independent -- I am not sure --
8 by February 1 John was to be independent. That is not it,
9 it was March 1, to have a job and by the end of March be out
10 of the house.

11 Now, if you look at the history of the defendant
12 up to that point in time, his behavior is so erratic and so
13 impulsive and so unpredictable that it is quite apparent to
14 us today that he is unable to hold a job.

15 And the goals that were set up for him were impos-
16 sible for him externally, and an unrealistic goal. Insofar
17 as he could understand it, he knew he could not live with
18 it.

19 There was no way that this defendant could become
20 gainfully employed and self-sufficient in the time frame allowed
21 to him. And it is during this period of January and February
22 of 1981 when we go through this incredible process of homicide/
23 suicide/murder, these are bizarre thoughts.

24 To what end? To gain the love and admiration and
25 establish a relationship with a woman. It is delusional

1 thinking. That's all it is, pure and simple. It is pathetic,
2 but it is delusional.

3 You know that on March 1 -- the last week of February
4 his parents were away and on March 1 when they returned
5 they had a note on their door which says "Your prodigal son
6 has left again. I must exorcise some demons" or something
7 to that effect.

8 Once again the defendant departs. He goes to New
9 Haven. And he leaves a series of communications with Jodie
10 Foster. They are all in the F series, I believe F-1 thru
11 6 perhaps.

12 They are bizarre. "I love you 6 trillion times.
13 Wait for me. I will rescue you."

14 In fact, these notes were so disturbing to Jodie
15 Foster, you saw on videotape of her, that she turned those
16 notes over to her dean. She was so concerned. These were
17 bizarre thoughts that were being expressed to her.

18 Of course, then we know the defendant returns to
19 New York without funds and he calls his parents in desperation.
20 I remind you I have read you a passage a little while ago
21 of the Park Dietz interview of the defendant where he said,
22 "I never expected to need any money when I went to New York
23 in March because I thought I would be dead or in jail."

24 Well, he was not. He had no money. He called
25 his parents in desperation and he was shocked to learn that

1 they would not just welcome him back. They were distressed.

2 They put him off. They followed the counsel of

3 Dr. Hopper, which I do not fault. Dr. Hopper says ---

4

End RR

5

RRR fols

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 THE COURT: Mr. Fuller, I think we perhaps should
2 take a short recess.

3 Ladies and gentlemen, follow the Marshal.

4 (Whereupon, the jury left the courtroom at 4:37 p.m.)

5 THE COURT: Come to the bench, counsel.

6 (At the Bench:)

7 THE COURT: You know why I interrupted?

8 MR. FULLER: No, I don't. I take that back. I
9 was told that something was going on behind me.

10 THE COURT: He was emoting.

11 MR. FULLER: What was he doing/

12 THE COURT: Crying.

13 MR. FULLER: Was he? I'm sorry.

14 THE COURT: Yes, yes. And he seemed to be
15 getting worse, so I thought maybe we should take a recess
16 at this point. You wouldn't have been aware of it. You
17 were looking at the jury. How much more time do you have?

18 MR. FULLER: Your Honor --

19 THE COURT: Well, that's all right. I'm not
20 pressing you. I'm not pressing you.

21 MR. FULLER: I'm almost through with the longest
22 section of my defense analysis, and when I finish this I
23 will say I would have about one half hour when I finish
24 the section I'm in now.

25 THE COURT: How much time do you have on rebuttal,

1 Mr. Adelman?

2 MR. ADELMAN: Approximately an hour.

3 THE COURT: All right.

4 MR. ADELMAN: I would ask the Court if Mr. Fuller
5 goes on as I expect that I sum up tomorrow.

6 THE COURT: I'd like to have it all done today.

7 MR. ADELMAN: I think that is a good idea and the
8 hour is getting late through no fault of Mr. Fuller.

9 THE COURT: Don't worry about the hour getting
10 late.

11 MR. ADELMAN: I'm not concerned about myself, it
12 is just that the jurors have been exposed to both Mr. Fuller
13 and I for sometime and I think under the circumstances
14 once we pass 5:30 --

15 THE COURT: Well, we will see. We are not past
16 5:30.

17 MR. ADELMAN: We are going to get there after
18 Mr. Fuller finishes.

19 THE COURT: We will see what it is at this point
20 in time.

21 MR. FULLER: I would urge Your Honor, in light of
22 the fact that you are sequestering them today, that we do
23 complete today.

24 MR. ADELMAN: It doesn't make them any less tired
25 because they are sequestered.

1 In fact, I'd be happy to start earlier tomorrow
2 if that be the case.

3 THE COURT: Well, we will take a short recess.

4 No, I'm not going to leave the bench.

5 MR. FULLER: Why don't you go check him?

6 (Counsel Craig goes to cellblock.)

7 MR. ADELMAN: May I be excused for a minute?

8 THE COURT: Yes. I'll take up another point at
9 this moment. Not with you, gentlemen.

10 MR. FULLER: Not with me?

11 THE COURT: No.

12 MR. FULLER: I'm excused?

13 THE COURT: Don't go far, Mr. Fuller.

14 (In Open Court:)

15 THE COURT: Call Mr. Sanford up.

16 (Mr. Sanford comes to lectern.)

17 THE COURT: Mr. Stanford-- Mr. Sanford?

18 MR. SANFORD: Yes, Your Honor?

19 THE COURT: Before the proceedings began this
20 morning, I instructed the U.S. Marshal to lift the press
21 credentials of UPI reporters Gregory L. Gordon and Judith
22 G. Hasson. And thereafter you filed a motion for reconsider-
23 ation of the Court, and you were concerned with the reasons
24 why I did what I did.

25 MR. SANFORD: Yes, Your Honor.

1 THE COURT: I won't belabor the record as to why
2 I did what I did. And during the luncheon recess, you and
3 a member of the media committee appeared before me in
4 chambers and I heard you out on your motion.

5 The motion was supported by an affidavit of
6 Mr. Gregory L. Gordon. I think it would be inappropriate
7 at this time to comment at any length on what has trans-
8 pired here, which provoked the attention taken by the Court
9 and which triggered the motion for reconsideration which
10 you filed.

11 I have the affidavit of Mr. Gordon. It leaves a
12 number of unanswered questions, which again, I think would
13 be inappropriate at this point in the proceedings to comment
14 extensively on.

15 However, so that this trial, which has been in
16 process for a period of eight weeks or close to eight
17 weeks, will not in any way be detoured, I won't comment
18 but I will comment at a later point.

19 I've given consideration to your motion for
20 reconsideration and I trust that you've conveyed to
21 Mr. Gordon and Ms. Hasson the precise concerns of this
22 Court?

23 MR. SANFORD: I did, Your Honor.

24 THE COURT: And I will grant the motion for
25 reconsideration and they will be allowed to participate

1 along with the other media and the public --

2 MR. SANFORD: Thank you, Your Honor.

3 THE COURT: -- by being present in Court.

4 MR. SANFORD: Thank you very much, Your Honor.

5 THE COURT: Very well.

6 (Mr. Sanford steps away from the lectern.)

7 MR. FULLER: May we approach the bench, Your Honor?

8 (At the Bench:)

9 MR. CRAIG: Your Honor, I have spoken with the
10 defendant and he has gathered his resources. He is back
11 under control and would like to return to the courtroom
12 now. I think he is ready.

13 THE COURT: All right. May I just say this:
14 I was passed a note to the fact that the defendant was
15 writing and I looked over and indeed he was crying and as
16 I looked at him he seemed to be involved more and more in
17 it, and as far as the Court is concerned it wasn't anything
18 akin to behavior that has caused me to say something to
19 him on other occasions.

20 All right.

21 MR. CRAIG: In fact, Your Honor, my impression
22 was that he was trying very hard to control himself at
23 that time.

24 THE COURT: We have a question about Juror No. 3.

25 THE DEPUTY CLERK: Judge, I think the nurse is

1 with her now.

2 MR. FULLER: What is the trouble with her?

3 THE DEPUTY CLERK: She has a stiff shoulder.

4 THE COURT: No, she has a -- stiff shoulder?

5 That's a euphuism for many things. I don't know. Is she
6 there with her?

7 THE DEPUTY CLERK: I'll go back and check.

8 THE COURT: No, don't go back and check, Betty.
9 You will be just one more person away.

10 Marshal, check out Juror No. 3 with the nurse
11 and come back.

12 (The Deputy Marshal leaves the courtroom.)

13 THE COURT: All right, gentlemen, you may resume
14 your seats.

15 Mr. Adelman, I think the better course, if I can
16 get through this today --

17 MR. FULLER: In recess I just reflected I'm going
18 to abbreviate a portion of the summation which I had
19 prepared so I would hope to finish within, by 5:30.

20 MR. ADELMAN: We have no objection to that, but
21 I would say if that is the case I'd like the Court to
22 consider and indeed give me the right to conclude in the
23 morning.

24 This juror's symptom may be a function of the
25 thing I'm talking about, which is just the --

1 THE COURT: Well, I think --

2 MR. ADELMAN: It has been a long day.

3 THE COURT: They are prepared. They are
4 conditioned. I'll consider it.

5 MR. ADELMAN: I wish you would and I'm not trying
6 to play any tactical game. I don't see that as a problem
7 here. But Mr. Fuller has his right to talk and we have
8 no difficulty with that, but the hour is getting late and
9 particularly with this incident with Mr. Hinckley now.

10 THE COURT: Well, Mr. Hinckley -- well, we will
11 see.

12 MR. FULLER: If need be, if Mr. Hinckley has a
13 problem, I would seek to have him excused and let us finish.

14 THE COURT: That is what I thought.

15 THE DEPUTY MARSHAL: The nurse is not up yet.

16 THE COURT: Did you call her?

17 THE DEPUTY CLERK: Marshal Turner said she was up.

18 THE COURT: Call her, Betty.

19 (The Deputy Clerk calls the nurse.)

20 THE COURT: The other alternative is to recess
21 the activities for today and let you resume your
22 argument tomorrow.

23 MR. FULLER: Well, I can do that. You may
24 realize I'm getting hoarse.

25 MR. ADELMAN: My only problem with that --

1 I certainly would not give any complaint to Mr. Fuller's
2 hoarseness.

3 THE COURT: Maybe what you need is a lifesaver.

4 MR. FULLER: I just had one.

5 MR. ADELMAN: Your Honor, I want to make this
6 observation that stopping now may underline unduly
7 Mr. Hinckley's reaction and I don't think that is fair.

8 We don't know the cause of it, the reason or the
9 motivation.

10 THE COURT: That's why they have a judge to make
11 these decisions.

12 MR. FULLER: Yes, it is. That is why I'm thank-
13 ful for the jury system.

14 THE COURT: All right. Take your positions.

End RRR 15 (In Open Court:)

16

17

18

19

20

21

22

23

24

25

MEO
jdm s.1

1 MR. CRAIG: Your Honor, can we approach the
2 bench?

3 THE COURT: Yes.

4 (At the bench.)

5 MR. CRAIG: I have not spoke to the Defendant, but
6 my observations of him cause me concern. Mr. Craig has
7 continued to talk with him, and I think that perhaps to
8 minimize the risk of any incident, undesirable incident,
9 that it might be preferable, Your Hgonor, if we adjourned
10 and resume tomorrow, which is not particularly -- I had
11 hoped to finish today, but I am concerned about the
12 Defendant.

13 THE COURT: Well, I am concerned, too, that this
14 doesn't lash off to the benefit of the Government in this
15 case, too.

16 MR. CRAIG: I can see that, and I am not playing
17 games. I am just concerned that if I resume where I am going,
18 it is not getting any better, and I think a night's rest for
19 him might make it a little more palatable to him tomorrow
20 than it will today. This is a very, to me, emotional
21 matter.

22 MR. ADELMAN: Well, Your Honor, he sat through
23 testimony about this very subject --

24 THE COURT: What?

25 MR. ADELMAN: He sat through the testimony about

S.2

ME jdm

1 this subject several times, and we don't know what brought
2 this on or what caused it, the timing, but under the
3 circumstances --

4 THE COURT: Well, may I say this, Mr. Adelman.
5 I, all during this incident, at least from the time that I
6 was aware of it, I paid close attention to the jurors to see
7 whether or not any of their eyes were turned in the
8 direction of the Defendant. I don't think they were.
9 I did not see any of their eyes in his direction.

10 However, when I did declare the recess, well,
11 as I have been doing, I tell the Marshal to take him out at
12 the same time the jury is going out, and I think one or two
13 of them might have looked over in his direction, but during
14 the time I was aware that he was crying and it wasn't sobbing.

15 Did you notice?

16 MR. ADELMAN: I did not.

17 THE COURT: Did any of you notice him cry?

18 MR. ADELMAN: My colleagues sit with their backs
19 to him.

20 THE COURT: I understand.

21 As a matter of fact, Miss Flynn handed me the note.
22 I hadn't noticed it. She handed me a note and at that time
23 I immediately turned over and looked at him, and I followed
24 his situation as well as continued to look at the jury and
25 also made eye contact with the U. S. Marshal, and I saw

s.3 1 Mr. Craig wasn't even aware of it the full time, and Mr.
M' jdm 2 Babby sent him a note, and it was then that Mr. Craig began
3 to be concerned with him.

4 I think what I will do, gentlemen, under all
5 circumstances is to bring the jury back in and let them go
6 for the night. I think I will do it.

7 And I will do it on this basis, Mr. Adelman.
8 That as I perceive, I didn't notice any juror looking
9 with intent or even looking in the direction of the
10 Defendant.

11 Now, I don't know whether to give an instruction
12 or even comment on it at this time, but alert them to a
13 situation which they were not aware of. Are they?

14 They are going to be sequestered tonight and
15 maybe -- and the Marshals will keep them sequestered.
16 They are experts, and they will turn off the evening news.
17 They won't allow them to have any radios and they won't
18 have any papers or anything.

19 MR. ADELMAN: No fear of that, Your Honor.

20 Under those circumstances, I don't think an
21 instruction would do anything but underline the problem, so
22 I wouldn't.

23 THE COURT: All right.

24 MR. CRAIG: I am sure Mr. Adelman --

25 THE COURT: Very well.

s.4 jdm

1 Marshal, come around.

2 Thank you. You may leave.

3 (Informal discussion of the Court with
4 Marshal Julius Turner and the Courtroom Clerk, Betty Flynn.)
5 (Jury present at 4:56 p.m.)

6 THE COURT: Members of the jury, as far as the
7 weather conditions in this courtroom and as far as
8 temperatures are concerned in relation to this courtroom,
9 we either have feast or famine. It is either too hot or
10 it is too cold, and I can see that some of you are experiencing
11 some discomfort from time to time because of the coolness
12 of the temperature and what I will do because of the hour
13 and because of the fact that the argument is substantially
14 completed, but there is still a great deal more to be done,
15 what I will do is to adjourn the proceedings for tonight
16 or, rather, for this afternoon.

17 Now, you have been alerted to the fact that you
18 will be sequestered beginning as of tonight, and I realize
19 that what I indicated to you earlier this week was that the
20 sequestration would begin immediately after the instructions
21 of law were given to you by the Court.

22 Well, because of a changed situation, I have
23 decided to begin the sequestration tonight.

24 Now, many of the admonitions that I have given
25 you before really won't be necessary because the Marshals

neo jdm 1 who will supervise you -- when I say supervise, it is not
2 supervise in that sense, because they are there to serve your
3 needs and your desires within limits. But the Marshals who
4 will be there, they know how to screen out press, to
5 screen out radio and television accounts, and you cooperate
6 with them to every extent to see that the admonitions that
7 I have given you are not violated in any way.

8 Particularly do not discuss this case with your
9 fellow jurors.

10 The Marshals have been instructed to see that you
11 make contact with your home, that you secure all the
12 necessary items for the sequestration. I will permit
13 you to leave now to return tomorrow morning at the usual
14 hour of 8:30 and have a pleasant evening, and those of you
15 who are experiencing discomfort, well, we hope that
16 discomfort will be relieved by the time you return
17 tomorrow morning.

18 You may follow the Marshal.

19 (Whereupon, the jury left the courtroom at
20 4:59 p.m.)

end

CERTIFICATE OF REPORTER

I, M. Eugene Olsen, C.S.R., an Official Court Reporter for the United States District Court for the District of Columbia, do hereby certify that I reported, by machine shorthand, in my official capacity, the proceedings had and the testimony adduced in the case of United States of America v. John W. Hinckley, Jr., Criminal Action No. 81-306, in said Court, on the 17th day of June, 1982.

I further certify that the foregoing 86 pages constitute the official transcript of said proceedings as taken from my machine shorthand notes.

IN WITNESS WHEREOF, I have hereunto subscribed my name, this the 17th day of June, 1982.

M. Eugene Olsen, C.S.R.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

REC

UNITED STATES OF AMERICA,)

Plaintiff,)

v.) Criminal Case No. 81-306

JOHN W. HINCKLEY, JR.,)

Defendant.)

Washington, D. C.

Friday, June 18, 1982

The above-entitled action came on for further closing arguments before the Honorable BARRINGTON D. PARKER, United States District Court Judge, and a jury duly sworn and empaneled, in Courtroom No. 19, commencing at approximately 9:30 o'clock, a.m.

APPEARANCES:

For the Plaintiff:

ROGER M. ADELMAN, ESQ.
Assistant United States Attorney
4401 United States Courthouse
Washington, D. C. 20001
(202) 633-4911

M. EUGENE OLSEN. C.S.R.
OFFICIAL REPORTER, U. S. DISTRICT COURT
UNITED STATES COURTHOUSE
WASHINGTON, D. C. 20001

(202) 755-1920

1 APPEARANCES (continued):

2 For the Plaintiff (continued):

3 ROBERT CHAPMAN, ESQ.
4 Assistant United States Attorney
4401 United States Courthouse
Washington, D. C. 20001
5 (202) 633-4936

6 MARC B. TUCKER, ESQ.
7 Assistant United States Attorney
7337 United States Courthouse
Washington, D. C. 20001
8 (202) 633-1005

9 For the Defendant:

10 VINCENT J. FULLER, ESQ.
11 GREGORY B. CRAIG, ESQ.
LON S. BABBY, ESQ.
12 JUDITH A. MILLER, ESQ.
Williams & Connolly
13 839 - 17th Street, NW.
Washington, D. C. 20006
14 (202) 331-5036

15 [Defendant Hinckley present.]
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

ALL COUNSEL: Good morning, Your Honor.

THE COURT: Good morning, counsel.

THE DEPUTY CLERK: United States of America v. John W. Hinckley, Jr., Criminal No. 81-306.

Mr. Adelman, Mr. Chapman and Mr. Tucker represent the Government. Mr. Fuller, Mr. Craig, Mr. Babby and Miss Miller represent the defendant.

MR. ADELMAN: Ready, Your Honor.

MR. FULLER: Ready, Your Honor.

THE COURT: Mr. Fuller, I understand that you have possibly one more hour, is that it?

MR. FULLER: That is a fair estimate, Your Honor.

THE COURT: All right. And Mr. Adelman?

MR. ADELMAN: I would say at this point I have an hour depending on what Mr. Fuller has to say. I may have a little more after that.

THE COURT: Very well.

Now, gentlemen, come to the Bench.

[The following bench conference was placed under seal by order of the Court.]

1 [In open Court:]

2 [The members of the jury resumed their places in
3 the jury at 9:35 a.m.]

4 THE COURT: Good morning, members of the jury.

5 ALL JURORS: Good morning.

6 THE COURT: Mr. Fuller, you may proceed.

7 FINAL ARGUMENT ON BEHALF OF THE DEFENDANT (resumed)

8 MR. FULLER: If I may please.

9 Again may it please the Court, and ladies and gentle-
10 men of the jury:

11 Before I resume where I left off yesterday, there
12 are one or two comments -- or I should say three or four that
13 I want to make regarding some observations of Mr. Adelman
14 during his opening statement. I also want to clarify one
15 statement I made yesterday that I want to be sure it is clear.

16 When I alluded yesterday to the flaw, if you will,
17 in the Government's psychiatrists' reports insofar as they
18 neglected to rely upon the most critical evidence in this
19 case, to wit, the writings of the defendant, John Hinckley,
20 in the fall of 1980 and spring of 1981, I want to make it
21 clear I don't know the extent to which Dr. Dietz may have
22 read the writings, but the record is clear about it and what
23 I try to emphasize with you is that I believe the flaw arises
24 from the fact that those expert witnesses did not see fit
25 to take the time to review those documents with this defendant

1 to assist them in developing his development of his thought
2 processes during those critical months before this shooting.

3 I also alluded yesterday to Dr. Harvey and Dr. von
4 Rueden having conducted medical examinations in the February
5 period of 1980 when Mr. Hinckley was in a very depressed,
6 almost paralyzed state. I commented to Dr. Harvey made no
7 observations psychiatrically, but he is not expected to.
8 He is a medical doctor.

9 Von Rueden, however, I remind you, did observe
10 that defendant appeared to have an anxiety neurosis with
11 stress and some psychosomatic illness, so while not a psychiatrist
12 he did observe, as you will, some psychiatric symptoms which
13 he saw in February -- as early as February of 1980.

14 Likewise, Dr. Rosen in the summer of 1980 observed
15 the defendant to be in a depressed state.

16 Now Mr. Adelman in his opening seemed to argue
17 that you could not infer that the defendant was in a psychotic
18 condition because he was not conducting himself in an open
19 and obvious bizarre fashion.

20 I think the evidence is clear from both sides,
21 both experts, all experts that the ability of a schizophrenic
22 to maintain a contact with common reality is not unusual,
23 that is to say, a severely ill psychotic schizophrenic inside
24 may have a world of troubles unnoticed totally, unnoticed
25 by us laymen and bizarre conduct is not an indispensable

1 ingredient to a diagnosis of schizophrenia.

2 Indeed, in his opening Mr. Adelman suggested that
3 one of our doctors described Mr. Hinckley as being in a frenzy.
4 What we said was he was in an internal frenzy. Mr. Adelman
5 suggested to you yesterday had he been in a frenzy, he would
6 be stumbling on the floor and not drinking a coke in the Park
7 Central Hotel on the morning before the shooting.

8 I suggest to you that is misleading to you. The
9 kind of frenzy that we are talking about is an internal frenzy,
10 an internal confusion, one that is going on in this man's
11 inner world, all built upon false premises, false assumptions,
12 false ideas.

13 At one point, I believe in his opening statement,
14 Mr. Adelman suggested psychiatric influences, thought delusions,
15 fantasies are not evidence you should consider in this case.
16 That is precisely the evidence you should consider in this
17 case. That is why we are here.

18 And again Mr. Adelman, as I understood him in his
19 beginning remarks, suggested to you that the personality
20 disorders of the defendant were not severe.

21 Later on after an intermission, at page 8465, Mr.
22 Adelman said she, Dr. Johnson, testified and the evidence
23 shows and we don't dispute that there are severe personality
24 disorders.

25 Again Mr. Adelman yesterday suggested that we had

1 offered to you a smorgasbord of insanity and he alluded to
2 "Taxi Driver," "The Fan," Jodie Foster, sleep deprivation,
3 the CAT-scan.

4 Ladies and gentlemen, this is evidence. This is
5 probative evidence going to the condition of this defendant's
6 state of mind and please don't be misled by a characterization
7 that the evidence we have offered to you of this defendant's
8 state of mind is a smorgasbord.

9 Yesterday as we broke, I believe I was relating
10 to you the historical events as principally related by Dr.
11 Carpenter, confirmed by Mr. Hinckley's parents, that in the
12 early morning of March 6, 1981 the defendant found himself
13 in New York without funds, desperate and in despair.

14 I reminded you that he had testified to Dr. Dietz
15 that he had never expected to return from that last trip.
16 He thought he would be dead or in jail.

17 It was at that time that he called his parents and
18 was distressed even more to learn that his parents on the
19 advice of Dr. Hopper were going to make him sweat it out a
20 little bit, to see if this wouldn't make him shape up.

21 When they relented and they arranged for Mr. Hinckley
22 to return to Evergreen, Mr. Adelman yesterday suggested he
23 traveled in the grand manner of a limousine. You may recall
24 Dr. Goldman explained what the limousine service is in New
25 York, nothing more than a large taxicab, not a black limousine

1 we all see here in Washington with all the dignitaries.

2 Well, he did indeed return to Evergreen and he
3 arrived there on April 7th. He was met at the airport that
4 evening by his father. Bear in mind his depression at that
5 time and consider the shock, the disbelief, the utter wonderment
6 that Mr. Hinckley experienced when his father told him "You
7 can't come home, John. We have had it."

8 In making this decision I by no means am critical
9 of the parents. I don't think the blame can be laid at anybody's
10 feet. I think they acted in good faith. They relied in good
11 faith upon what they believed was psychiatric expertise. And
12 perhaps the blame, it is b "blameless blame" because the
13 psychiatrist was unable to probe into the depths of this
14 defendant's mind to understand the severity of the illness
15 with which he was inflicted, so the advice Dr. Hopper gave
16 and the advice the parents accepted seemed reasonable to all
17 concerned except to the defendant Hinckley.

18 I think our witnesses, Carpenter and perhaps Gold-
19 man, suggested that when Mr. Hinckley was told by his father
20 you you can't come home, that was the severance of his last
21 anchor to reality.

22 Bear in mind that for many years the only ties he
23 had to reality were occasional, perhaps yearly visits with
24 his parents. Now on April 7, 1981 he is without any anchor.

25 As we know, he moved to the motel, Golden Hours

1 Motel, and lived there for approximately two weeks, again
2 in isolation. However, this period of isolation, I suggest
3 to you, is a little different than the prior seven years
4 of total isolation. I described those seven years as "total
5 isolation."

6 I can only describe this as being more isolated
7 than ever experienced. Fortunately or unfortunately, as
8 the case may be, Mrs. Hinckley as a mother was not able perhaps
9 to adhere to the plan with the same rigidity that the father
10 could, so the defendant was able during those two weeks
11 to visit his mother on a few occasions at her home in Ever-
12 green, but the handwriting was clear. The writing on the
13 wall was clear. He has to move on.

14 He was not getting any more support from his family.
15 He sold his guitar, he sold his records, he sold his type-
16 writer. He sold a gun -- guns.

17 And you reflect for the moment on those hours. It
18 was an hour or an hour-and-a-half drive to the airport on
19 March 24th when the defendant had imposed upon his mother
20 and implored with her to drive him to the airport, an hour
21 and a half of stony silence between the mother and her son.

22 This, I suggest to you -- I said a moment ago
23 the last anchor was ended on April 7th. I suggest the last
24 anchor was really severed on March 24th and he is then cut
25 adrift without any resources, with no resources to do anything

1 for himself except that he has money. He could buy his
2 clothing, he can buy his food, he can find shelter, he can
3 travel. But he has no hope, no future and what does he resort
4 to?

5 He resorts to more fantasy thinking. "What am I
6 to do? My life is at an end."

7 And we have heard testimony what his options were.
8 We have heard testimony he thought "I had better go back
9 to New Haven and shoot myself in front of Jodie Foster,
10 or shoot her and shoot myself."

11 And indeed the testimony is that when he embarked
12 toward the East Coast on March 25th, that is where he was
13 headed.

End A

14

15

16

17

18

19

20

21

22

23

24

25

1 However, he ended in Washington due to some mixup
2 in the bus tickets, how the tickets were written.

3 There is somewhat conflicting testimony regarding
4 his sleep pattern during that trip, but I think it is safe to
5 assume that one does not sleep well on a bus when sitting on
6 a bus four days, three nights. Sleep is fitfull.

7 He arrives here on the 29th. Again, he is depressed
8 and distressed and again he tries to sleep and again we are
9 told unable to sleep.

10 On the morning of the 30th he awakens, has breakfast,
11 buys a newspaper, showers, sees the paper about President
12 Reagan. And once more in his hopeless crazed state of mind
13 he sees the opportunity, he thinks, to achieve the deluded
14 goal of winning the love of Jodie Foster. The delusion that
15 he has been entertaining for perhaps as long as May of 1980,
16 but certainly since September of 1980, and I submit to you
17 that the delusion became more intense and more real as those
18 months went on and as he became more desperate and as he was
19 losing contact with his family ties, the intensity, the
20 reality of the delusion became stronger and stronger and more
21 real as each day passed.

22 So, by the time he saw the article in the Washington
23 Star that the President would be at the Hilton Hotel early
24 in the afternoon, the idea came to him no doubt, perhaps this
25 is my chance. Perhaps this is the opportunity.

1 It is almost again referential thinking. It is a
2 message. Perhaps I better go check it out. Maybe this is
3 the moment for me to go do the deed.

4 You know, you have heard repeatedly, he sits down
5 and writes the letter to Jodie Foster, which again I read
6 parts of it to you yesterday. I remind you again when you
7 read the letter, pay particular attention to the goal. The
8 goals are not just to win the admiration of a woman. The
9 goals are to win her love and affection; to establish a
10 relationship. A totally unrealistic deluded goal. I don't
11 really believe --

12 MR. ADELMAN: Object to counsel's opinion.

13 THE COURT: Sustained.

14 MR. FULLER: I withdraw that, Your Honor.

15 THE COURT: You withdraw that.

16 MR. FULLER: I submit to you that it is not possible
17 to reconstruct as the Government physicians have tried to do
18 the minute by minute progression of the defendant's thoughts
19 processes from the moment he left the Hilton until the moment
20 he shot the President and the three other innocent victims.

21 For any of us to reflect back some moment in time
22 and try to attempt to think what we were thinking is almost
23 an impossible task. And I suggest to you that the efforts
24 of the psychiatrists to build the moment by moment thoughts
25 that Mr. Hinckley was entertaining in those moments, half-hour

1 between the time he arrived at the Hilton and the time he
2 actually did the shooting is impossible.

3 I suggest to you that the entire time that Mr.
4 Hinckley was at the Hilton, the moment he saw the President,
5 when he arrived, he was in such a deluded state he knew if
6 you asked him "Is it right to shoot the President?" undoubtedly
7 he would say "You don't shoot people."

8 But in his delusion, he is not aware of the
9 humanity of those victims. They play a very minor role in
10 his delusional state. They are merely means to the end, to
11 the end he wishes to accomplish: To win the love and affec-
12 tion and establish the relationship with Jodie Foster.

13 I remind you that even Dr. Dietz stated that these
14 were not the reasonable acts of a completely rational indi-
15 vidual. I suggest to you that is a gross understatement of
16 Mr. Hinckley's condition at that time.

17 Now, summing up Dr. Carpenter, generally, he
18 described the defendant's suicidal thoughts going back as
19 early as 1976, when he talked, wrote in the letter to his
20 parents about when he had broken up with Lynn and how "I think
21 I may just go kill myself; I'm kidding of course." That
22 kind of thing.

23 He goes on in 1979, when he purchases a gun and
24 later plays Russian Roulette. He alludes to the photographs
25 with the gun to the head. He talks about the overdose of

B-eh-4

1 Surmontil. He talks about the February 14 appearance at
2 the Dakota. These are all evidences of suicide. Evidence
3 of this defendant's depression that existed during this
4 critical period of time.

5 The delusions I've described, the ideas of reference
6 I've described, the blunted affect I've described and, again,
7 I remind you the blunted affect really is a flatness in the
8 emotional content of the individual. That is significant
9 when you come to consider the totality of Mr. Hinckley's
10 ability to appreciate the wrongfulness of his conduct.

11 And it is not only what Mr. Adelman suggested to
12 you, that Dr. Carpenter never addressed himself to Part Two
13 of the test.

14 Dr. Carpenter was meticulous in reviewing the
15 entire historical buildup to that moment of stress, of ultimate stress on March 30, 1981.

17 Those are the factors that were considered and
18 should be considered by you and were considered by Dr.
19 Carpenter in assessing the defendant's responsibility.

20 And when asked, Dr. Carpenter said that in his
21 opinion, the defendant lacked as a result of mental disease
22 at the time of the shooting, the defendant lacked substantial
23 capacity to conform his conduct to the requirements of the law.

24 He suggested at that point while he may have known
25 intellectually at the very superficial intellectual level it

1 is wrong to shoot presidents or anybody else, he was then
2 dominated by his inner state, his inner self, his psychotic
3 delusions.

4 And he was so involved in this commitment to this
5 woman, Jodie Foster, that nothing else mattered but that he
6 achieve his goal.

7 Again, I think his characterization of the victims'
8 tragedy, though it may be as bit players, they were bit
9 players in the mind of the defendant.

10 I do not suggest to you that they are bit players
11 to any of us because, indeed, they are not. But in his
12 delusional state, that's what they were.

13 Likewise, when asked, the defendant -- Dr. Carpenter
14 testified that the defendant lacked the substantial capacity
15 to appreciate the wrongfulness of his conduct on March 30.
16 And again, he talked about intellectual quality in a poor
17 superficial thinking level the defendant would have known
18 it was wrong. But when viewing "appreciate" as connoting
19 something more than just intellectual awarness, but a quality
20 of reason, the reasoning process has not just intellectual
21 components but emotional components. The reasoning processes
22 were so impaired that the defendant was unable to appreciate
23 wrongfulness of his conduct. That is the testimony of Dr.
24 Carpenter.

25 In his own mind the defendant had two compelling

B-eh-6

1 reasons to do what he did. To terminate his own existence
2 and to accomplish his ideal union with Jodie Foster, whether
3 it be in this world or the next.

4 Before I leave Dr. Carpenter, I want to make one
5 more observation. Some criticism was leveled at Dr.
6 Carpenter for his use of DSM-III in reviewing the defendant's
7 mental state.

8 I remind you again of Dr. Deitz' cross-examination,
9 when he himself conceded that Dr. Cavanaugh reviewed DSM-III
10 with the defendant as well. Regretably we have not heard from
11 Dr. Cavanaugh.

12 Now the next doctor I want to talk about, and I want
13 to be brief in talking about the remaining doctor, because to
14 a great extent there is overlap.

15 I will just remind you that Dr. Goldman, who, while
16 a forensic psychiatrist, devoted most of his time to a
17 clinical practice. Even while he is a forensic psychiatrist
18 and has court experience, he testified that the greatest part
19 of his practice related to clinical diagnosis and treatment.
20 He did in this case diagnose a Schizotypal Personality.

21 Again, I don't want to get into the labels. However,
22 he talked in terms of magical thinking, ideas of reference,
23 social isolation, undue social anxiety, and I believe suicidal
24 ideation.

25 In arriving at this conclusion, Dr. Goldman

1 enumerated seven or eight qualities that he found in Mr.
2 Hinckley's character: social isolation, suicidal ideation,
3 inability to relate to women, as I recall. And he substanti-
4 ated his observations by alluding to a series of poems.

5 I will not take the time to read any of those poems.
6 I might allude to one in a little detail. But I want to
7 remind you that in the exhibits that you will take to the jury
8 room with you, the exhibits that Dr. Goldman relied upon are
9 in with the Defendant's "N" series and I urge you, I urge
10 you to look at those poems to see the kind of thought, the
11 kind of ideation expressed in them. Poems such as THE
12 ELEPHANT MAN, PRETEND, BURNING OUT, REGARDLESS, SURVIVAL OF
13 THE FITTEST. All these poems I think are significant in your
14 understanding John Hinckley.

15 And just reading from Exhibit Q-3, and not reading
16 the entire poem, but it is a typical example of the kind of
17 thought that is expressed by this defendant -- Dracula on a
18 crowded beach, a child without a home, a loser of a one-man
19 race, raw meat thrown to a hungry lion, a faded flag on a
20 windy day. Welcome to the truth, welcome to reality, welcome
21 to my world.

22 I submit to you, this is bizarre thinking. It is
23 unreal. And this is his view of himself. But that is the
24 kind of poetry Dr. Dietz described as all fictional.

25 I believe I stated and I believe you recall that

1 when asked the ultimate question regarding the defendant's
2 capacity to conform his conduct to the law and to appreciate
3 the wrongfulness of his conduct, Dr. Goldman, likewise, was of
4 the opinion that the defendant lacked both qualities.

5 I need not recite in exact words what he said.

6 Likewise, Dr. Bear. He too diagnosed the defendant
7 as having a Schizophrenia Spectrum Disorder. Again, put the
8 labels aside. What we are looking at is the defendant's
9 state of mind. His ability to control, his ability to appreci-
10 ate the wrongfulness of his conduct. It matters not whether
11 he is Schizophrenic, Paranoid, Schizotypal, Schizoid or
12 Narcissistic Personality, or whatever. Is he able to require
13 his conduct to the requirements of the law? Is he able to
14 appreciate the wrongfulness of his conduct?

15 Dr. Bear once again when asked those questions
16 observed that in his opinion the defendant lacked substantial
17 capacity required to be held legally responsible.

18 Now, we introduced another piece of evidence which
19 I'll allude to briefly and that was the CAT scan of the
20 defendant's brain. We offered that to you because it
21 evidenced an abnormal brain in a man of this age.

22 Dr. Marjorie LeMay testified that the defendant had
23 atrophy of the brain abnormal for a man 26 years old.

24 Dr. Weinberger -- by the way, atrophy, you recall,
25 was an enlargement of the cortical sulci, and she also

B-eh-9

1 described an enlargement of the ventricles which I can't be
2 too scientific, but sort of like tubelike parts of the brain
3 where the spinal fluids are. And the enlargement of the
4 ventricles she explained caused atrophy of the surrounding
5 tissues. So there is atrophy within and without.

6 Now I readily concede that we offered no evidence
7 to establish the validity of this as a diagnostic tool, but I
8 do believe that Dr. Weinberger in his testimony demonstrated
9 there is some statistical significance to that kind of a brain
10 in a man of this age. And he pointed out that such atrophy is
11 found more commonly in the brain of a schizophrenic patient
12 than in a normal person. I think he used the term 15 to 20
13 percent.

14 We offer this evidence to you so you would have a
15 complete picture, as complete a picture as we could give you
16 of the defendant's mental state, mental condition.

17 Now, the final expert we called was Dr. Prelinger
18 and you may remember -- excuse me one second -- we put before
19 you, I believe it is Exhibit E-2 -- P-2. I can't see quite
20 that far. Exhibit P-2, which I'll come to in just a moment.

21 Now, Dr. Prelinger is a clinical psychologist at
22 Yale, and he is to be distinguished from a psychiatrist in one
23 significant regard and that is that he relies not only on the
24 oral thoughts, verbal expressions of the subject in question,
25 but he also relies upon psychological testing processes, which

1 among other things are designed to test the personality
2 features, but also to ferret out and test whether or not the
3 subject is deceitful, attempting to feign or manipulate;
4 things, by the way, the Government has suggested this
5 defendant has engaged in.

6 Dr. Prelinger talked about objective tests. Kinds
7 of true/false in nature, and he talked about projective tests
8 such as Rorschach test, the ink blot. He also talked about
9 the Wechsler Adult Intelligence test, the WAIS.

10 Indeed, it is very interesting. Dr. Prelinger
11 testified that the defendant by virtue of that test appeared
12 to be an intelligent man with an IQ of an intelligent person.

13 But ladies and gentlemen, that does not respond to
14 a question of this man's mental condition. We all know the
15 most intelligent of us can suffer and be afflicted with a mental
16 illness. So I urge you not to be misled in believing that the
17 defendant was in control or had the ability to appreciate
18 merely because he is intelligent. That tells us very little
19 about what is going on in the defendant's inner world.

20 The significant testing I put in front of you was
21 the Minnesota Multiphasic Personality Inventory. Dr.
22 Prelinger told us the most used personality test used in
23 America, used as an aid to determine the existence of a
24 mental disorder. This by the way was administered not by
25 Dr. Prelinger, not by anyone engaged by the defense. This

1 was a test I remind you administered by Dr. Hilkey, as Dr.
2 Johnson testified, at Butner in the middle part of April of
3 1981.

4 Moreover, I believe the testimony is that Dr.
5 Hilkey, as quoted by Dr. Johnson, found not only this test
6 but the later test taken in May to be valid and reliable.

7 You may recall Dr. Prelinger testifying that the
8 horizontal line on the chart before you at the level 50
9 represents the normal, the normal range; perhaps what you and
10 I might score if given this test.

11 He pointed out that the line, the dark black line
12 horizontal at the level of 70 represented psychiatric dis-
13 turbances.

14 And then he reviewed with you this exhibit. He
15 pointed out that all the scale, all the vertical scales,
16 columns 1 through 10, with one exception, were above 70 -- in
17 the pathological range of mental illness.

18 He pointed out the vertical line No. 2, a measure
19 of depression, was almost off the chart. I believe it is
20 near a hundred. I believe it is near 120. Indeed, at one
21 point he said the prospects of a person being that high from
22 the normal population is one in one million.

23

nd B

24

25

meo/cw

1 And I remind you that that test was administered
2 by the Butner psychologist at a time when Dr. Johnson was
3 interviewing the defendant and describing him to us as not
4 being particularly depressed.

5 This test shows his inner mind, his inner working,
6 his inner state of mind.

7 Dr. Prelinger called our attention to the scale,
8 the veritcal scale Number 8, which he described as the scale
9 indicating schizophrenia features.

10 Once again, Dr. Prelinger pointed out that again
11 the defendant was near the top of the chart, said he signi-
12 fied a total loss of open life, an inability to pull himself
13 together, extraordinarily high profile. Indeed, a profile
14 of people found in mental hospitals suffering from severe
15 depression.

16 He also referred to Scale 1, hypochondriasis.

17 That simply means hypochondriac.

18 Once again defendant's score was very high,
19 indicating a person worried about his body in a medical sense.

20 That is precisely the history of this case.

21 Going back to 1978 we have a history in this
22 record of the defendant complaining about physical symptoms
23 which can never be verified.

24 Again I suggest to you it is a condition of the
25 defendant's state of mind.

ow C 2

1 I refer to the second test given by Dr. Hilkey
2 in Butner in May, and, as Dr. Prelinger testified, the
3 result of the second test was slightly less elevated, and he
4 described that as normal, a normal reaction for a person
5 taking the test a second time in a short time frame.

6 But, again, all the scales were elevated. And
7 you are invited to look at Exhibit P-3, as well as the exhibits
8 before you, to verify what I have just said.

9 Dr. Prelinger's diagnosis was one of depression.
10 He observed depressive disorder. Suicidal tendencies, a
11 disturbance of identity, fantasies, preoccupation and obsession
12 with Jodie Foster, impulsivity, loss of control, disturbances
13 of thinking, unrealistic and out of touch.

14 He concluded he had a borderline personality
15 disorder. He suffered a major depressive episode, and he
16 was inflicted with a paranoid personality.

17 Again, when asked the ultimate question, he
18 expressed the belief, the opinion, that the defendant lacked
19 substantial capacity on March 30 to conform his conduct to
20 the requirements of the law or to appreciate the wrongfulness
21 of his conduct.

22 And by the way, Dr. Prelinger's testimony was not
23 just based upon tests.

24 In addition to giving the tests, he spent time
25 interviewing the defendant.

ow C 3

1 And, of considerable significance I believe to you
2 in your deliberations should be the fact that this evidence
3 remains unchallenged, uncontroverted, uncontradicted by
4 any witness offered by the Government in this case.

5 This is the Government's test. This is Dr. Hilkey's
6 test. And no testimony has been offered in this case to
7 suggest that there is a flaw in that procedure.

8 I will be coming to a close very shortly, and
9 I have a few remarks I want to make.

10 I already said a moment ago that Dr. Dietz,
11 in a classic understatement, stated that these were not the
12 reasonable acts of a completely rational individual.

13 I submit these are the acts of a totally irrational
14 individual, driven and motivated by his own world which he
15 created for himself, locked in his own mind, without any
16 opportunity to have any test of those ideas from the real
17 world because of his total isolation.

18 Now, I want you to consider in summary form the
19 stress factors that were building up in the period before the
20 shooting.

21 Obviously the first stress factor was the failure
22 of the defendant to establish a relationship with Jodie Foster.

23 A second stress factor was the death of John
24 Lennon in December of 1980.

25 I remind you of the monologue of New Year's Eve

ow C 4

1 and ask you to consider playing that. Hear once again the
2 kind of distress and bizarre thinking that the defendant was
3 expressing at that time.

4 I think a very significant stress factor in this
5 defendant's life in this period was the failure of the
6 psychiatric treatment.

7 Again I don't blame anybody. I only blame the
8 defendant's mental illness because of his inability to verbalize
9 what was going on in his mind. Whether it was some internal
10 inability or fear of disclosure to his parents, or just fear,
11 I don't know. But he did not disclose to his psychiatrist
12 what was going on. And he experienced, in that failure,
13 the psychiatric therapy was doing him no good.

14 Another stress factor I think is significant
15 is one I alluded to this morning, is that event of March 6,
16 when he was in New York, stranded, without funds, wanting
17 to come home, and rejected.

18 Another factor, of course, is March 7, when he
19 arrives home and receives the ultimate, ultimate insult to
20 him, that he is no longer welcome in the Hinckley household.

21 And I add to that that very tragic and emotional
22 moment in the defendant's life when his mother said goodbye
23 at the airport, with a note of finality -- not in the mother's
24 mind, but in the defendant's mind.

25 Now, stress factors have a significance to this

ow C 5

1 case that you must bear in mind.

2 Dr. Dietz agreed that under periods of extreme
3 stress, transient psychotic symptoms may be present in the
4 mental disorders which he described the defendant, which
5 he admitted the defendant suffered from. And I submit to you
6 that the stress, accepting the Government's analysis of the
7 mental disorder, the mental disease, I submit to you that
8 the stresses that had built up in this man through the end
9 of March of 1980 reached psychotic proportions.

10 I submit to you that this evidence demonstrates
11 the Government has failed in its burden of proving that this
12 defendant was mentally responsible, that this defendant had
13 the capacity to appreciate the wrongfulness of his conduct on
14 March 30, 1981, that this defendant was able to conform his
15 conduct to the requirements of the law.

16 I submit the Government has failed to meet that
17 burden.

18 You will, in a few hours, retire to your delibera-
19 tions. This is the last opportunity I will have to address you.

20 I no doubt have not touched on all the issues.
21 To do so might require far more time than you have patience
22 to listen to me I am sure.

23 However, I do urge you to remember what I have
24 said to you in the course of my summation, as the Government
25 rebuts what I have said.

ow C 6

1 And I urge you, in your deliberations, to free
2 your mind of bias, of anger, of passions, aroused because
3 of the damage inflicted upon these innocent victims.

4 I want to observe that throughout the trial it
5 has been my observation you have all been extraordinarily
6 observant and attentive, and I appreciate that.

7 I can only ask that in your deliberations that
8 you give the same kind of thoroughness to your job.

9 I ask you to return a verdict of not guilty by
10 reason of insanity. And I thank you for your time.

XXXX

11 REBUTTAL ARGUMENT ON BEHALF OF THE GOVERNMENT

12 MR. ADELMAN: If I may.

13 THE COURT: Yes.

14 MR. ADELMAN: Ladies and gentlemen, let me take
15 the opportunity I have to respond to talk about each and
16 every point that counsel raised yesterday and today, and
17 let me start where he left off.

18 You better believe he is right when he said he
19 didn't talk about all the evidence.

20 Remember, I told you when I spoke, about all the
21 reasons as long as my arm and my counsel's arms, as well,
22 all the reasons why this man could appreciate his wrongfulness
23 of his conduct, all the reasons why he could conform
24 behavior.

25 Did you hear him say anything about that in two

ow C 7

1 and one-half or three hours?

2 No. Why?

3 He can't answer that.

4 I ask you to ask him for that. And I ask you
5 in deliberations to say, "No, no, no, Mr. Fuller, you didn't
6 do it. You didn't do it." Because he can't.

7 He didn't do it, not because he is evil.

8 He has to deal with the evidence, and the evidence runs right
9 in the face of that.

10 Let's start right there.

11 Secondly, how dare he say to you, how dare he
12 say to you, to forget the evidence, to forget the Devastator
13 bullets.

14 How dare he say to you that, "Jim Brady, forget
15 the Devastator bullets."

16 I defy him. I defy anybody, to go up to the
17 families of those victims, Mr. Brady, and anybody else, and
18 say, "Forget those Devastator bullets."

19 You can't do that. You can't run. You can't hide.

20 Oh, Mr. Hinckley would like to do that.

21 You see Mr. Hinckley as did Dr. Johnson;
22 Mr. Hinckley has been avoiding responsibility all his life.

23 And his lawyers stand up here and on his behalf
24 say the very same thing. Forget about the evidence.

25 Forget about the shooting. Forget about Mr. Reagan, Delahanty,

ow C 8

1 McCarthy, Jim Brady.

2 I am confident you won't do that.

3 We didn't go through six weeks of trial to have
4 a lawyer stand up here and tell you to forget about what
5 happened.

6 We didn't go through six weeks of trial to have
7 a lawyer stand up here for two and one-half hours and not
8 make one mention of the charges in this indictment. Did we?

9 Your sworn, your sworn duty is to deal with the
10 evidence.

11 And no lawyer can talk you out of that.

12 No lawyer can make you go run away.

13 No lawyer can mess around here with little charts
14 here done by his psychologists -- and I will talk about them
15 later -- and say this is the case.

16 Well, I guess a lawyer can if you represent
17 John Hinckley. And I am not criticizing Mr. Fuller. He is
18 good counsel. He is a pro. He is not on trial. Mr. Hinckley
19 is.

20 And the best they can produce is what the argument
21 he gave today and yesterday was. That is it. That is the
22 evidence.

23 That is the best they can do.

24 Now let me go back and talk -- He avoided March 30
25 like the plague. I timed it. He took exactly six minutes,

ow C 9

1 of all that talk, to talk about March 30 and the reasons
2 he could not appreciate the wrongfulness of his act.

3 That is no accident. Mr. Fuller knows his
4 business, and Mr. Fuller knows he can't deal with the facts
5 and the evidence on March 30. Can he?

6 How outrageous to say to you that nobody can
7 reconstruct Mr. Hinckley's thoughts on March 30, 1981, like
8 the Government doctors did.

9 How did they do it? By talking to him and recording
10 what he said. The doctors didn't make up these thoughts.

11 John Hinckley told them, for goodness' sake.

12 You see, that is the kind of argument you have
13 received here.

14 And I suggest, and the Government suggests, you
15 deserve better.

16 The reason Mr. Fuller wants you to put aside the
17 events of March 30 -- because, indeed, they are so meaningful.

18 Indeed, they mean something in this case.

19 They are the foundation for these charges. They
20 are the foundations for reasons that Mr. Hinckley, indeed,
21 as the evidence shows, is criminally responsible.

22 What is the evidence he wants you to put aside?

23 The gun. Who brought the gun to Washington?
24 John Hinckley.

25 The Devastator bullets. Who brought them to

ow C 10

1 Washington? John Hinckley.

2 Who purchased six Devastator bullets?

3 Take a look at the box when you are back there. There are
4 twelve holes in the box and only six bullets were brought to
5 Washington. Who brought those? John Hinckley.

6 "Forget about it," said Mr. Fuller.

7 John Hinckley would like to go under that table
8 right now, but he can't do that.

9 We are in a court of law, and twelve of you are
10 going to decide his fate.

11 Forget about the victims. Forget about Mr.
12 McCarthy, Mr. Delahanty, Mr. Reagan, and Mr. Brady.

13 Go ahead. Forget about them.

14 Simply by conceding, as the defense so grandly does,
15 that Mr. Hinckley was stalking and running around in the fall
16 of 1980, that you are supposed to forget about that, too.

17 Mr. Fuller says, "Well, the other bullets are
18 lethal, too, so why worry about the Devastators?"

19 First of all, the Devastators are critical
20 because they show the specific intent to kill.

21 You don't pick those kind of bullets and put them
22 in a gun unless you are going to kill somebody.

23 And secondly, I say again, doggone, let him go up
24 and tell Jim Brady, "Forget about Devastators." Let him do it.
C ends 25 And all the other people involved in this tragic event.

OLSEN/GeoK

1 What are the issues here? You wouldn't know after
2 you heard Mr. Fuller talk.

3 The questions of criminal responsibility have two
4 parts. He tap danced around in Part 1 for that matter. He
5 didn't say anything about Part 2 and, of course, I told you
6 quite a bit about that, and when we go on I will talk further.

7 He gave you no reasons. Remember, he was talking
8 for the first few minutes there about reasons he was going
9 to give. He gave you no reasons whatsoever to question, to
10 doubt, if you will, any of the testimony Dr. Johnson, Dr.
11 Dietz and, indeed, some of these very defense doctors about
12 Mr. Hinckley's ability to appreciate wrongfulness and conform
13 behavior to the requirements of law.

14 Let's get it straight. We never contended because
15 we can't and because the evidence doesn't permit that Mr.
16 Hinckley didn't have a mental disorder on March 30th. He
17 sure did. He had personality disorders and he had, as the
18 Government team said, mood disorders or dysthymic disorders.

19 He was a sad, depressed person. We never contended
20 otherwise, but the critical question is did that impair his
21 ability to appreciate wrongfulness and conform behavior? And
22 the evidence is clear and unrebutted by counsel that it did
23 not. That is the critical point.

24 What you have had here in the defense argument
25 is what I might call a parade of irrelevancies. What did

1 we hear over the last four or five hours of this argument
2 about his 1976 trip to California, trip to Nashville, blunted
3 affect for goodness sake? Blunted affect isn't in DSM-III
4 as a mental disorder. And I will talk about that a little
5 further when we get to Dr. Brownlee.

6 Mark Chapman. How Dr. Dietz takes notes. These
7 are the irrelevancies that counsel has had to bring forth
8 here. John Lennon. That poem about John Lennon. The New
9 Year's Eve monolog three months before the crime.

10 Remember, I told you. Remember, that is a good
11 point. Remember, I told you that everything I said was going
12 to be anchored back to March 30th. I was going to tell you
13 how it related to March 30th. I did that for two reasons.
14 One, that is the way the evidence really was produced by
15 the Government to tie into that critical day because when
16 you read the indictment in this case -- I have it around
17 somewhere -- you will see every one of those crimes was on
18 March 30, 1981, and no other.

19 And the second reason I did that is to sort of alert
20 you to something the Court will tell you in instructions,
21 and again it is not my purpose to do that because that is
22 the Judge's role. He will tell you that evidence about Mr.
23 Hinckley's mental condition before and after the day is
24 admissible relevant and use to the extent it relates to his
25 mental condition and criminal responsibility at the time of

1 the crime.

2 We are not trying John Hinckley as to how his
3 mental condition was in 1980 at Listalot, at Christmastime
4 when he is sitting around looking at the window and so forth.
5 We are not trying that. We are not trying his mental condi-
6 tion on New Year's Even.

7 I think if we tried a lot of people's mental condi-
8 tion on New Year's Even, it might be similar to John Hinckley
9 on that date.

10 We are trying March 30, 1981.

11 Forget counsel talks for a long time about that
12 tape. He is telling us, for instance, that John Hinckley
13 wouldn't play his guitar in front of his parents. That is
14 1972. That shows that this man can't conform his behavior
15 to the requirements of the law?

16 Really, you see the defense strategy in this case
17 and we have seen it right clear here, is to sweep away, to
18 ignore, to hide, if you will, and I don't mean maliciously
19 for Mr. Fuller, is to do away with what they can't deal with.

20 Let's cite a good example of that, the lay witnesses.

21 Mr. Fuller says, "Well, you can't believe these
22 people. They only saw Mr. Hinckley for a few brief minutes."

23 That is not true. Mrs. Kondeah did, sure. But
24 the significance of Mrs. Kondeah is not what Mr. Hinckley
25 said to her. It is what he didn't do, what he didn't say.

1 If he is psychotic despite what Mr. Fuller says --
2 who is not a psychiatrist -- the evidence shows a psychotic
3 person will reveal that behavior.

4 Mrs. Kondeah doesn't see anything unusual. She
5 said he was calm. "Calm" doesn't appear in DSM-III. That
6 is her common sense way of expressing things.

7 Danny Spriggs likewise. Sure, he only heard four
8 words from Mr. Hinckley. Again he wasn't put on to probe
9 his inner thought process, but he was put on to explain from
10 his experience. Remember, he had some training in the Secret
11 Service on mental matters. From his experience he didn't
12 see anything wrong and disordered with Mr. Hinckley.

13 Oh, we go to Eddie Myers, the policeman. Eddie
14 Myers reports a lot of things about Mr. Hinckley. He didn't
15 say he was depressed. He didn't say he was sleepy.

16 Agent Aquilia talked a long time with Mr. Hinckley
17 off and on about the common things. The basketball game,
18 the Academy Awards and things of that character. He didn't
19 say he was depressed and counsel suggests, I am sure, he was
20 mistaken and would acknowledge it.

21 Dr. Brownlee, a medical doctor, counsel took one-
22 half of one of his answers out of context and suggested to
23 you Dr. Brownlee thought Mr. Hinckley was acting inappropriately
24 because he was calm.

25 I recall Dr. Brownlee's testimony and I ask you

1 to remember it, too, another way. Dr. Brownlee said, did
2 he not, Mr. Hinckley was acting appropriately for the circum-
3 stances and one thing is particular in my recollection and
4 I hope it in in yours. Do you remember Dr. Brownlee said,
5 when he gave him the vagovagal pulse thing, his pulse was
6 high? He was upset.

7 Of course he would be upset. It is a natural,
8 normal reaction.

9 Now those are details. Those are evidence and those
10 are facts. We don't hear them from counsel. And maybe you
11 can understand why. Maybe you can understand why.

12 I have to represent this about John Hinckley and
13 you have to deal with the testimony of these people. These
14 lay witnesses together as a group saw Mr. Hinckley for eight
15 hours, I believe, from 1:15 all the way up to 10 o'clock.
16 There was an hour break in there for the shooting and the
17 important fact is that these witnesses don't know each other,
18 as I made clear to you earlier, but they all report the same
19 thing.

20 He is not sleepy. He is not high. He is not
21 depressed. He is coherent. He is talking.

22 Dr. Brownlee even went further and said he is conver-
23 sant or conversational. Now this is a man who counsel
24 claims is psychotic, inner world or what-have-you. No way.
25 He just can't be.

Counsel would have you believe that there is a

1 battle of psychiatrists going on here. I say there really
2 is no battle. There really is no battle! We are talking
3 about psychiatrists who operate on different levels.

4 Dr. Johnson and Dr. Dietz find out the facts and
5 the evidence and apply it to the case and apply it to the
6 indictment and apply it to the evidence. Dr. Carpenter is
7 a researcher. Dr. Bear -- he is Dr. Bear. Dr. Goldman just
8 didn't do his homework.

9 When you apply all of this knowledge to the facts,
10 the informational knowledge, you see Mr. Hinckley sure did
11 have the ability to appreciate and conform, so there is no
12 battle of the psychiatrists at all.

13 The lay witnesses make it clear Mr. Hinckley had
14 the ability to conform, appreciate and indeed, ladies and
15 gentlemen, you might even think if Dr. Carpenter, Dr. Bear
16 and Dr. Goldman had done their homework like Dr. Dietz and
17 his team and Dr. Johnson and her team, they might even come
18 to the same conclusion.

19 There is no battle here at all.

20 Let me talk about a couple of other points Mr. Fuller
21 makes.

22 The Government psychiatrist, he says, trivialized
23 -- that is his words -- "frenetic behavior of the defendant."
24 What frenetic behavior? Yeah, he flew all over the place.
25 He flew on United Airlines. That is not the behavior of a

1 frenetic man. That is the behavior of a desperate, bored
2 young man with a pocket full of money, who got from his
3 parents \$3600, who likes Jodie Foster. Wouldn't we all like
4 to be in that situation? Fly to California or wherever?

5 He had the opportunity. He had the time. He had
6 the means. That is not a sign or symptom of mental disorder.
7 And it is really unfair for Mr. Fuller to say the Government
8 doctors trivialized this. They said, indeed, that Mr. Hinckley
9 was depressed, that he was lonely and that was a sign of his
10 personality disorders and his dysthymic disorders.

11 Likewise, Mr. Fuller says, "For goodness sake, the
12 Government doctor could see normalcy between Mr. Hinckley
13 and his parents. They pointed out to you Dr. Dietz spoke
14 to you here, that all along Mr. Hinckley didn't get along
15 with his parents, particularly his father.

16 In fact, Mr. Hinckley told Dr. Hopper -- Dr. Hopper
17 now -- that he didn't want to work. He would rather be a
18 writer and get his inheritance. That is why they didn't get
19 along, because his parents, like good parents would and should,
20 wanted him to get out and work, and he wouldn't do it.

21 The Government doctors took that into account. The
22 Government doctors reported that.

23 The matter of Lynn. Mr. Hinckley said, and I am
24 quoting, he invented Lynn to get the parents off his back.
25 One of the reasons Dr. Dietz assigned for the events of March

1 30th is Mr. Hinckley's lack of success in job-seeking, lack
2 of success in dealing with his parents and I am going to get
3 to that later on, but I want to make it clear right now.
4 Mr. Fuller is certainly wrong when he said that the only
5 reason Mr. Hinckley did the shooting was to impress Miss
6 Foster.

7 Dr. Johnson, Dr. Dietz testified to a host of reasons
8 and that was just one, and I will get on those later, but
9 make no mistake about it, ladies and gentlemen. Try as you
10 might, Mr. Fuller can't run away from the evidence. He can't
11 run away from the evidence.

12 And, in addition, as I say, the Government doctors
13 took into account the relationship with Mr. Hinckley's parents
14 such as it was.

15 And let's say some things right now about that
16 question. Mr. Fuller, when he talks about anchors breaking
17 away, all of this business says on March 7th there is an
18 anchor that broke away with Mr. Hinckley parting company with
19 his dad. We heard about that.

20 Mr. Hinckley was never close to his father in the
21 first place. We know that.

22 Secondly, Mr. Hinckley had had casual contact
23 with the parents over the years. The anchor that broke away,
24 as I told you yesterday, was a general anchor -- dollars,
25 cents, money, inheritance. That is what Mr. Hinckley didn't

1 like, you see.

2 You take a look at that letter written in November
3 1979 in evidence as a defense exhibit and Mr. Hinckley is
4 there complaining about not getting his inheritance. His
5 dad says, "This is it, John. You are out of the house. No
6 more money after March 7."

7 That is what the anchor was.

8 Now when Dr. Dietz told us -- and I believe Dr.
9 Johnson -- that the shooting occurred on March 30th for several
10 reasons, they both listed getting back at the family. I will
11 leave it to you to draw the connection and conclusion.

12 One other point. Whatever can be said about the
13 Hinckley family, mother and father: No question the Government
14 stipulates good, decent people. Very concerned about family.
15 Very concerned about their son.

16 If Mr. Hinckley, Sr. thought this man was seriously
17 depressed and disordered on March 7th, do you think he would
18 have let him go away? I don't. I suggest to you he wouldn't.

19 If Mrs. Hinckley had really thought John Hinckley
20 was really in bad shape on the 24th of March, do you think
21 she or any other mother would drive into the airport and let
22 him get on a plane for who-knows-where, California.

23 Huh-uh. John Hinckley gave the reason for Mrs.
24 Hinckley's attitude on that day. She was mad. In fact, I
25 think the quote was from Dr. Dietz talking to Mr. Hinckley,

1 she was furious. She was furious at John for not getting
2 a job.

3 And I suggest to you the evidence, circumstantial
4 though it is, the parents' behavior suggest Mr. Hinckley did
5 not have serious disorders as Mr. Fuller describes, because,
6 after all, neither I nor Mr. Fuller nor you were there. They
7 were. And their actions, I think, speak louder than my words
8 and speak louder than Mr. Fuller's words.

9 Now we heard an attack on Dr. Sally Johnson which
10 I would like to talk to you about.

11 The first one you might have scratched your head
12 at, he is trying to say that Mr. Hinckley was somehow attracted
13 to Dr. Johnson and somehow shaded things -- or Dr. Johnson
14 shaded things, so that Mr. Hinckley would seem more sane.

15 Is that possible? Is that fair? Is this real?

16 Dr. Johnson said -- and I think this deserves some
17 detailed reference. She said she viewed Mr. Hinckley as a
18 patient and nothing else. You know, Dr. Johnson is 29 years
19 old and Mr. Hinckley's counsel made a point of that fact.
20 She is only 29 years old.

21 How in the world does he say "Can she really know
22 what she is doing?" Well, first of all, she is 29 years old,
23 but she has been a forensic psychiatrist for three years.

24 Secondly, every day down at that prison she sees
25 people in forensic settings; and, third, you know, being 29

1 years old makes her only four years older than Mr. Hinckley.
2 They are the same age group, the same generation and what-
3 have-you.

4 Isn't that one of the reasons, one of the many
5 reasons why she really got to know John Hinckley like some
6 of the doctors like Dr. Prelinger, who saw him for three hours
7 in interview, who is 55 years old, didn't?

End CC

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

S/eh-1

1 Now, I don't know what your view is of the genera-
2 tion gap. It doesn't mean much anymore. She is a young woman.
3 She grew up in the same era with John Hinckley, probably
4 listened to the Beatles too. And that's one of the reasons
5 she got to know him. And can't you conclude after 55 inter-
6 views, 55 interviews of her own and 30 by Dr. Hilkey, I
7 believe, and other observation, that she really knows John
8 Hinckley.

9 You see, what Mr. Fuller is complaining about when
10 you think about it is just that. What the defense doesn't
11 like to hear is the fact that Dr. Johnson got to know John
12 Hinckley, got to know him better than Dr. Carpenter did,
13 better than Dr. Prelinger did, and Lord knows, got to know
14 him better than Dr. Bear did.

15 As I told you, Dr. Johnson saw Mr. Hinckley, spent
16 more time with him, more time talking than either his mother
17 or dad in the whole year of 1981. It is not their fault.
18 The circumstances were that the parents were out of town from
19 time to time and John Hinckley was home. John Hinckley was
20 out of town and the parents were home. And let me talk
21 about that when we talk about circumstantial evidence.

22 If John Hinckley was in bad shape, as Mr. Fuller
23 says this morning, do you think his parents would go away to
24 Europe in the summer of 1980, and leave him at home? Do you
25 think they would go on business trips in January and February

1 of '81, and leave him at home, if he was really in bad shape,
2 like Mr. Fuller says he was?

3 You know the old saying, Actions speak louder than
4 words. This is a very good example of that. Particularly
5 bearing in mind, as he told you before, these are responsible
6 people, responsible parents, and their actions before the
7 events of March 30 I think are very telling when we talk about
8 what Mr. Fuller claims Mr. Hinckley's mental condition was.

9 Mr. Fuller goes back and says Dr. Johnson didn't
10 read Mr. Hinckley's writings. I beg to differ. She did. She
11 read them. She didn't read them all. I think all of them
12 piled up would be higher than she is. And furthermore, it is
13 not fair to say that Dr. Johnson had a chance to read all the
14 writings, because as I understand the testimony, not all of
15 them were available to her.

16 But, nevertheless, the testimony is you can tell
17 something about writings, but you can't make a diagnosis.
18 Ladies and gentlemen, of all the writings introduced in this
19 case, all the writings introduced in this case, there is only
20 one that tells you what John Hinckley's mind was like on
21 March 30, 1981. The reason for that is simple. All the
22 other writings were months, weeks, days, years before. Some
23 of them, 1976, as I recall.

24 And Dr. Dietz told us that you can't even tell a
25 person's state of mind from poems because they are fiction,

1 and Mr. Fuller couldn't wrestle with that one, because I'm
2 sure he realizes it is true. Poetry is fiction. As I say,
3 only one writing speaks about the state of mind of John
4 Hinckley on March 30, 1981, that is the "Jodie" letter.

5 Dr. Johnson analyzed the "Jodie" letter and she
6 talked to Mr. Hinckley about it. What did she tell you? She
7 said it tells how Mr. Hinckley is able to appreciate wrongfulness
8 and conform his behavior. We went through that with you
9 yesterday.

10 You didn't hear defense say anything. She went
11 through it and line one, he writes: "There is a definite
12 possibility I'll be killed in my attempt to get Reagan."

13 Appreciation of wrongfulness, certainly.

14 Ability to conform behavior, unquestionably.

15 Other discussions in here about "this historical
16 deed," doesn't he recognize by that alone, it is appreciation
17 of wrongfulness and ability to conform behavior?

18 And, indeed, when we talk about behavior, Dr. Johnson
19 and Dr. Dietz made the note that it ties in with Narcissistic
20 Personality, the desire for fame, because that is one of the
21 other reasons John Hinckley did what he did -- fame -- he
22 wanted to be somebody.

23 He told Dr. Dietz later on he succeeded in every-
24 thing he wanted to do. Jodie Foster knows about him. You
25 better believe it. He is well known. Look at the world media

1 here. Everything -- he got back at his parents. You better
2 believe it! Maybe not the way you or I would, but he did.
3 And that is what he wanted to do. Those are purposeful goals,
4 rational goals, and goals that don't interfere with the ability
5 to appreciate wrongfulness and conform conduct.

6 Dr. Johnson, according to Mr. Fuller -- get this --
7 minimizes Mr. Hinckley's symptoms of hopelessness, loneliness,
8 and depression. Did she do that? Do you think that is a
9 fair criticism of Dr. Johnson?

10 Dr. Johnson took them into account. The problem
11 again is she reached diagnoses and conclusions of criminal
12 responsibility that the defense can't swallow.

13 So what do they say? She minimized. Is there any
14 motive in the world for Dr. Johnson to do something like that?
15 She wouldn't even rub elbows with the government doctors. She
16 wouldn't even rub elbows with the government psychiatrists or
17 the defense doctors. I suggest to you that is not a very
18 fair comment.

19 Mr. Fuller said Dr. Johnson discounted the autobio-
20 graphy that Mr. Hinckley wrote for Dr. Hopper. She pointed
21 out, it is typical of John Hinckley's exaggeration. I think
22 he said there his mind was at a breaking point, in the
23 biography. If you read that alone, you might think, hey,
24 there is something going on here.

25 How the letter of November 5, 1979, where he told

1 his parents he would never get out of college alive -- exaggera-
2 tion!

3 How about the letters from 1976 from California,
4 where he said he was having such a rough time, depressed, and
5 so on and so forth? Exaggeration!

6 Exaggeration is not a sign or symptom of a serious
7 mental disorder. Manipulation is not a sign or symptom of a
8 serious mental disorder. They are signs and symptoms of
9 personality disorders.

10 Dr. Johnson was absolutely right, I suggest to you,
11 in the way she interpreted that autobiography.

12 Fuller says that the doctor, Dr. Johnson downplayed
13 the suicide story of February 14, 1982. Well, no wonder. The
14 only source of that was John Hinckley, standing up there at
15 the Dakota, claiming he was going to shoot himself.

16 Saying Dr. Johnson down played his lack of friends.
17 Ladies and gentlemen, being a loner is not a sign or symptom
18 of a serious mental disorder. She downplayed the psychologi-
19 cal tests, the chart we saw here, and others.

20 Those psychological tests are consistent, she testi-
21 fied, with the diagnosis that she reached.

22 Let me make something clear right here about psycho-
23 logical tests. Dr. Prelinger, who is a psychologist, who
24 testified here, said, No. 1, psychological tests, you cannot
25 determine anything about a person's behavior in the past.

D-eh-6

1 You give somebody a test today, it is not going to tell you
2 how they were in the past correctly. Indirectly, for of
3 course, it is of use.

4 Secondly, the Doctors testified that those psycho-
5 logical test results are consistent with, if you will,
6 consistent with personality disorders that have been
7 analyzed.

8 Thirdly, the 8 scale and 2 scale on the MMPI -- I
9 forget which one it is -- is high. That in and of itself
10 does not show a man is psychotic. It doesn't show that an
11 individual is anything more than depressed. It doesn't show
12 any degree of depression.

13 Why is that important? Well, first of all, we have
14 learned from testimony from Dr. Sally Johnson, and I believe
15 from Dr. Prelinger, but more so from Dr. Johnson, at the
16 prison, 15 percent of the people score that way. Where was
17 Mr. Hinckley when the test was given? In prison, under charge
18 for shooting the President of the United States and three
19 other people.

20 Finally, Dr. Prelinger, a pro psychologist, said,
21 a professional, said you can't diagnose Part Two; in other
22 words, the ability to conform behavior, to psychological tests
23 alone. And he said, he had to concede this, the way you do
24 that I believe is from the clinical information, the reviews
25 of the evidence.

end D

DD fls

SHOWERS/GeoK 1

2 You know what? He only interviewed Mr. Hinckley
3 twice and even Dr. Prelinger said -- and I beg to differ with
4 Mr. Fuller here -- even Dr. Prelinger said, when Mr. Chapman
5 cross-examined him, that in his view Mr. Hinckley had the
6 ability to appreciate his wrongfulness on the date of the
7 shooting.

8 The other psychologist we have heard about, Dr.
9 Hilkey, talked to Mr. Hinckley some 20 times, maybe it is
10 30. My recollection is not clear on that.

11 Besides the psychological testing, he is on Dr.
12 Johnson's team. He concluded that he is responsible for the
13 acts on March 30th and he agreed with Dr. Johnson's diagnosis
14 that was rendered of Mr. Hinckley.

15 Now, you were also told Dr. Johnson somehow minimized
16 Mr. Hinckley's delusions and wouldn't accept them. No?

17 What happened was Dr. Johnson spent more time, you
18 see, than the other doctors. Even the Government doctors,
19 I readily concede that, talking to Mr. Hinckley about the
20 delusions about Jodie. As I say, as a woman, a young woman,
21 a concerned person, as somebody who John liked, she got into
22 the "inner world" really. She found there really wasn't
23 any, really wasn't any delusion.

24 Mr. Hinckley all the time knew that Miss Foster
25 wouldn't be interested in him. Mr. Hinckley all the time
knew, as she concluded, that he had a rational understanding

1 of the situation between him and Miss Foster.

2 Mr. Hinckley all the time knew, says Dr. Johnson,
3 that Miss Foster never was Mr. Hinckley's delusional idea.
4 Oh, yes, a fantasy. No question. But a fantasy as we know --
5 and you probably are almost ready to get a degree in psychology
6 now -- a fantasy is not a sign or symptom of a mental dis-
7 order and certainly not a sign or symptom of psychosis. It
8 is a daydreaming, and things we all have. Things we have
9 each day, almost each hour. We would rather be somewhere
10 else.

11 That is not a sign or symptom of a serious mental
12 disorder.

13 Mr. Fuller says the bizarre idea, the bizarre idea
14 that Mr. Hinckley wanted to shoot the President to impress
15 Miss Foster or gain her love, Dr. Johnson discounted and
16 ignored.

17 First of all, there is no evidence that that is
18 the only reason why he did these crimes, none whatsoever.

19 Secondly, look how this developed. This information
20 here I am particularly talking about, the information that
21 Mr. Hinckley allegedly encountered Miss Foster in March 1981.
22 That didn't come out in the first interviews. That was
23 developed later on after Mr. Hinckley got a notion where
24 things were going, after he talked to some of the defense
25 doctors, and again I am not criticizing them for anything

1 but bad judgment. They are not evil people.

2 But in early June Mr. Hinckley starts talking about
3 stalking Miss Foster. That is when the story starts and Dr.
4 Johnson discounted that. Why shouldn't she? Because later
5 on, we find that even after Dr. Carpenter -- after he was
6 hit over the head a couple of times, he figured out that wasn't
7 true.

8 Now, we were also told in connection with Dr. John-
9 son some things about Dr. Dietz. We are told by Mr. Fuller
10 and in a very grand fashion, Dr. Johnson is 29, Dietz is 33.
11 That isn't the issue!

12 Their total experience, their total experience in
13 the forensic psychiatric field is probably in excess of 10
14 years, day in and day out.

15 Davis Bear is 39 years old. Davis Bear has no
16 experience in forensic psychiatry and, by the way, do you
17 think Dr. David Bear learned anything more in the six more
18 years on the earth than Dr. Dietz? Do you think he learned
19 anything else in the 10 years he has been on this earth than
20 Dr. Johnson?

21 Dr. Carpenter has no foensic psychiatry experience.
22 You add zero for Dr. Bear and zero for Dr. Carpenter and
23 you get zero. I suggest to you that is the end of that.

24 Oh, except for one other thing. Dr. Brownlee is
25 in his 50s. I am sure he wouldn't mind me telling you that.

1 Dr. Brownlee has been around and, as I say, he is not a forensic
2 psychiatrist, he is a medical doctor, and indeed in this case
3 the very important medical witness. He told you, based on
4 his experience of years and years of seeing people with serious
5 mental disorder that Mr. Hinckley did not appear to be abnormal
6 or have serious depression.

7 He told you after -- I think it is a 40-minute
8 interview, maybe shorter with Mr. Hinckley -- no serious mental
9 problems. On the day of the crime!

10 Finally, when we talk about Dr. Johnson and Dr.
11 Dietz we don't hear Mr. Fuller say one word to contradict,
12 argue or dispute the long testimony about the reasons Mr.
13 Hinckley could conform behavior, the reasons Mr. Hinckley
14 could appreciate conduct that he was doing.

15 Then we are told by Mr. Fuller, "My goodness sake,
16 the Government doctors intimidated Mr. Hinckley when they
17 went down there to interview him." Where is the evidence
18 of this? Where is the evidence of it?

19 Mr. Hinckley reported that he was uncomfortable
20 talking to all psychiatrists, both defense and Government.
21 By the way, there are only two or three joint interviews
22 anyway conducted by the Government psychiatrists. The rest
23 were individual interviews.

24 Furthermore, the interviews by Dr. Johnson were
25 joint and there were separate interviews. What does that

1 prove?

2 I think it proves something we are going to see
3 more and more as I talk, which is the desperation of defense
4 in this case. Really. Really! CAT-scans. What an embarrass-
5 ment! What an embarrassment that turned out to be!

6 Dr. David Bear. What an embarrassment that turned
7 out to be!

8 Dr. David Bear, an experienced forensic psychiatrist,
9 didn't even know how many bullets Mr. Hinckley had with him
10 when he went to the shooting!

11 I suggest to you the defense goes from one thing
12 to another. "Taxi Driver." What? Mr. Fuller didn't say
13 one word about "Taxi Driver," to my recollection. Why not?
14 I think after you saw the movie, everybody realized it had
15 nothing to do with Mr. Hinckley's behavior on March 30th.

16 Well now, Mr. Fuller does say Mr. Hinckley's writings
17 are significant. Mr. Hinckley's writings are significant.
18 First of all, overnight he suddenly remembered the evidence
19 here that Dr. Dietz did indeed review these writings of Mr.
20 Hinckley, many, many of them with him, and he reviewed others
21 by himself.

22 He didn't review them all. So what? In the first
23 place, let me repeat again, you can't make a diagnosis, and
24 I submit you can't make a conclusion about Mr. Hinckley on
25 March 30th from writings he has done before.

1 Secondly, all you have here is a selection of
2 writings, poems and what-have-you from a vast number. You
3 see, all Dr. Carpenter did was go through Mr. Hinckley's
4 writings and see which ones he wanted to talk to Mr. Hinckley
5 about, then he asked him was it grandiose and Mr. Hinckley
6 said, "Sure, doc. Sure. Just write down 'grandiose'."

7 It went something like that.

8 Thirdly, these writings are poems. They are fiction.
9 Whatever you say about them, whatever they are, written whenever
10 they are written, you can see they are well-organized. Some
11 of them are in draft. Some are done over and over again.
12 These are not the writings of a disordered person. These
13 are the writings of a creative, frustrated, depressed, sad
14 young man.

15 And, you know, Dr. Dietz made a good point here.
16 If you tried to diagnose somebody based on writings, you would
17 fill all the mental institutions in our country with some
18 of our best writers.

19 I don't know what you read and I can't tell you
20 what I read because I can't testify here, but just from what
21 you read, can you imagine diagnosing William Shakespeare based
22 on some of the sonnets he wrote? They are terribly depressing.
23 They are terribly depressing!

24 It is misleading to do that. It is unfair to do
25 that in this case, to think you can reach a mental condition

1 on writings he did maybe in 1976. It is surely unfair for
2 you to reach a conclusion on Part 2 on those writings,
3 except for March 30th, except for the Jodie letter. And,
4 as I said, that is the only writing Mr. Hinckley produced
5 that relates to March 30, 1981.

6 Now let me talk a little bit about these lay witnesses
7 so we can get this straight.

8 First of all, Mr. Fuller severely misrepresented
9 what Mrs. Aucourt had to say. Mrs. Aucourt, as you know,
10 saw Mr. Hinckley almost every day for two and a half weeks.
11 That can't be discounted. She saw him in the month of March
12 more than his mother did, more than his father did.

13 She is a mother. She is a next-door neighbor. She
14 reported he wasn't depressed or had any other problem. And
15 I suggested to you yesterday and I remind you today that whatever
16 you believe about that lady, you sure had better believe she
17 was compassionate. She liked John Hinckley. And if she
18 saw anything, she would do something about it and she would
19 report it to you.

20 By the way, it was her, not me or any other Govern-
21 ment representative, that described Mr. Hinckley as an
22 "All-American boy."

23 Mrs. Kondeah, as I pointed out to you, her contact
24 was limited, but it is significant because she is the person
25 who saw Mr. Hinckley closest before the time.

1 He can yell and shout about psychosis and delusions.
2 There is no evidence of that when she sees Mr. Hinckley. There
3 is no credible evidence from any expert here that the psychosis
4 is something you can't perceive.

5 Dr. Johnson testified, in fact, if a person is
6 psychotic, you can see it. You can perceive it even if you
7 are a layman or lay woman, in her case.

8 That is why Danny Spriggs is important. The police-
9 man who arrested Mr. Hinckley and took him to the police
10 station.

11 And Eddie Myers is important. If Mr. Hinckley was
12 in this terrible state, we would have different accounts.
13 All of them are independent from one another.

14 Agent Quilia made it clear that Mr. Hinckley was
15 in much better shape and not as fumbling around, if you will,
16 as people ordinarily arrested by the FBI. Here he was talking
17 about people who rob banks and things like that. There is
18 no evidence from Quilia that he was disoriented and all
19 this noise about blunted affect.

20 Let's put that in context.

21 "He had a distant look," Agent Quilia said, "only
22 when he was trying to think." And isn't it correct that Mr.
23 Hinckley had 100 percent accurate memory of all the background
24 information, including his parents' address and phone number?
25 He couldn't have that if Mr. Fuller is correct, that he was

1 in a frenzy, that he was delusional and so forth.

2 Now much Now much has been made about schizophrenia.
3 Well, only by Dr. Carpenter and as it is hardly surprising,
4 because whatever Dr. Carpenter does know in the world, it
5 is schizophrenia, at least in a research setting.

6 But that is the problem, because Dr. Carpenter,
7 you see, came to this case with blinders on. I point out
8 when he sat down to talk to counsel before the case began,
9 schizophrenia was discussed. The first time he was down there
10 to see Mr. Hinckley, schizophrenia was discussed.

11 And on the stand I asked -- and I beg to differ
12 with counse -- it wasn't Mr. Hinckley who mentioned to Dr.
13 Carpenter, "What is your specialty?" Dr. Carpenter told him
14 and talked about schizophrenia. There is no evidence that
15 Mr. Hinckley said that.

16 Now Dr. Carpenter still thinks that because he has
17 diagnosed schizophrenia and I suggest to you that he is plain
18 wrong, that Mr. Hinckley is not mentally responsible for
19 the crime.

20 You see, what he doesn't understand, and he still
21 doesn't understand it when we see him yesterday, all he is
22 talking about is Part 1.

23 Dr. Johnson put that to rest in the following
24 testimony on this witness stand. She said, "The diagnosis
25 itself" -- reading her testimony -- "is not necessarily

1 connected with whether a person is responsible or not. A
2 person can be schizophrenic and be responsible for their
3 actions."

4 The "itself" is not the issue. The issue is, says
5 Dr. Johnson, in her testimony, is that within the diagnosis
6 of whatever type of pathology or lack of pathology they
7 have, whether they can appreciate the wrongfulness of their
8 conduct and whether they can conform the conduct to the require-
9 ments of law at the alleged time in question.

10 You see, that is the problem with the whole defense
11 presentation here. They bring in a diagnostician who, No.
12 1, is flat wrong in dealing with John Hinckley. He doesn't
13 even know how to deal with Part 2. That is why all this talk
14 about schizophrenia, I suggest to you, doesn't mean a thing.

15 Furthermore, this whole talk about a frency. Who
16 did that come from? David Bear.

17 This whole talk about an "inner world." Where did
18 we hear that? From Dr. Carpenter and David Bear.

19 You see, these aren't in DSM-III. These come from
20 David Bear and Dr. Carpenter.

21 Dr. Goldman. Dr. Goldman originally did not diagnose
22 this man as schizophrenia. He filed a report in the fall
23 and in that report he said "personality disorder listed."

24 Well, lo and behold, six months later -- six months
25 later is interesting -- things have happened. The defense --

1 other defense psychiatrists filed reports. Dr. Carpenter finds
2 schizophrenia. Dr. Bear had something called schizophrenia
3 spectrum, known only to him, and lo and behold, by the time
4 he testifies, here comes Dr. Goldman now saying that the
5 defendant is schizophrenic.

6 Is that credible psychiatric testimony? Is that
7 professional psychiatric testimony? Indeed, is that good
8 forensic psychiatric testimony?

9 Now Mr. Fuller makes some talk about Mr. Hinckley's
10 loneliness, withdrawn, he played the guitar only for his
11 parents. That is not a sign or symptom of a serious mental
12 disorder, particularly not on March 30, 1981. It is a sign
13 or symptom of a personality disorder as the doctors point
14 out to you.

15 The same is true of the facts he had no friends.
16 Same is true that he was obsessed by Jodie Foster.

17 Mr. Fuller says Mr. Hinckley was depressed. I guess
18 he was. I guess he was over the years. But that is not
19 evidence of serious depression.

20 And Mr. Fuller is flat wrong when he says the
21 Government doctors didn't take that into account. They diag-
22 nosed him as having sad mood or dysthymic disorder, which
23 depression is a part of.

24 But that, ladies and gentlemen, is not a sign or
25 a symptom of a serious mental disorder such that Mr. Hinckley

1 couldn't conform his behavior to the requirements of the law
2 or appreciate wrongfulness. I keep saying that to you because
3 that is what this case is about and the defense is throwing
4 out problems and symptoms that have nothing to do with the
5 critical questions.

6 Mr. Hinckley, says Mr. Fuller, wanted to be a song-
7 writer. He wanted to be famous. He wanted to be a rock
8 star.

9 These aren't signs or symptoms of serious mental
10 disorders. They are signs or symptoms of a narcissistic
11 personality.

12 The same is true of the fact that Mr. Hinckley had
13 these somatic complaints and so forth. Indeed, at one point
14 that I must emphasize to you Mr. Fuller said to you that Mr.
15 Hinckley was out there in Ohio, in Nashville, Tennessee,
16 stalking President Carter, and then down here at the Blair
17 House stalking Mr. Reagan for the purpose of impressing Jodie
18 Foster.

19 That is wrong. The evidence shows from Dr. Dietz
20 and Dr. Johnson Mr. Hinckley was doing that in a part of his
21 preparation phase, if you will, figuring out how the Secret
22 Service protected the President, figuring out whether he
23 could have a good shot.

24 There is no evidence in this case that Miss Foster
25 was the reason he was doing these things.

1 As far as Miss Foster is concerned, I think the
2 evidence is clear and I am not going to dwell on it. There is
3 no evidence that she was a delusion in Mr. Hinckley's mind.
4 No evidence except the lawyer's argument. That is not evidence.

5 What is evidence is what the doctors said and, indeed,
6 what they said is based on what Mr. Hinckley had to say.

7 Now, a few points about Dr. Carpenter and the
8 reason I talk about him is because Mr. Fuller did. For some
9 reason we don't hear much about Dr. David Bear. Well, I guess
10 there is a good reason. You heard Dr. Bear and I think that
11 is good reason enough and Mr. Fuller, as wise counsel, doesn't
12 talk about him. Serious embarrassment for the defense.

13 We don't hear much about Dr. Goldman, the same
14 reason I suggest to you. What do we hear about Dr. Carpenter?
15 He said Mr. Hinckley was delusional. Where is the evidence
16 of that? Where is the evidence of that? The only evidence
17 of that came when Dr. Carpenter inadvertently suggested that
18 to Mr. Hinckley.

19 Mr. Hinckley's total isolation. Well, that is
20 really not true, Mr. Hinckley wasn't totally isolated, he
21 didn't have people he couldn't interact with.

22 For goodness sake, in 1980 to '81 he had his family.
23 Mother and father and maybe he didn't get along with them, but
24 they were there and he was talking to Dr. Hopper and for that
25 matter Dr. Hopper's wife.

1 One other significant fact Mr. Fuller doesn't tell
2 you about. Dr. Durrell Benjamin. Who is he? We haven't
3 seen him but we have heard about him. He is a psychologist
4 who works for Mr. Hinckley's business, Vanderbilt Corporation,
5 Vanderbilt Oil Company. In the summer of 1980 he saw
6 Mr. Hinckley.

7 Now, what did he say? He gave him tests, I
8 think, and he looked at him. He said he needs to get hisself
9 together, that is what Dr. Dietz testified. That is the bottom
10 line for John Hinckley and that is the bottom line for John
11 Hinckley today.

12 Now, Dr. Durrell Benjamin is an employee of
13 Mr. Hinckley's father. Do you think he would say something
14 like that carelessly under those circumstances? Do you think
15 an employee of Mr. Hinckley's father's energy company would
16 say something like that and he was the one who said, get this
17 young man to get a job.

18 Dr. Hopper says the same thing. Get this young man
19 to get a job. And the parents, the dad and the mother, say,
20 at least the father particularly, "Get a job, John."

21 And the reason John didn't get a job, I suggest to
22 you, is not because he was unable to. He felt he didn't have
23 to. This is his sense of entitlement, isn't a part of the
24 personality disorder.

25 "I am going to get my inheritance," says John.

1 "I am going to be a writer. I am going to be
2 famous. I don't need a job." And this ties into what
3 happened on March 30th in a way.

4 Dr. Johnson, Dr. Dietz and the other doctors on these
5 teams point out that one of the reasons that Mr. Hinckley
6 did what he did was to get back at him, to get back at the
7 family, the mother and father for forcing him out into the
8 world to do things.

9 Those aren't sane reasons, natural, logical reasons.
10 Mr. Fuller doesn't tell you about that because Mr. Fuller
11 can't deal with that, you see, but that is the evidence and
12 that is the logical conclusion that the evidence shows you.

13 Dr. Hopper. Was Dr. Hopper the villain for the
14 defense or is he the good guy? You might have thought he was
15 the villain when he testified and he now becomes the good guy.

16 Dr. Hopper clearly and plainly shows that
17 Mr. Hinckley did not have a serious mental disorder. I don't
18 want to go over the ground he went over the other day with him,
19 just to point this out to you.

20 He saw him 12 times during this period when turmoil
21 was going on that Mr. Fuller found this morning as he argues
22 here. He didn't see it. He is a trained psychiatrist.

23 Sure, Mr. Hinckley didn't tell him about stalking
24 and the other things. But he saw a lot of John Hinckley.
25 He didn't see any of these problems and John Hinckley lived

1 right up the road, as we understand his testimony, and if he
2 thought there was anything seriously wrong with John Hinckley
3 he would have taken some action.

4 As it turns out, we know his diagnosis of schizoid
5 or schizotypal personality disorder is basically similar to
6 that referred by Dr. Johnson and Dr. Dietz.

7 And I might tell you on the same note of Dr. John
8 Hopper and the matter of entitlement, it is important to
9 remember the evidence we have heard shows that Mr. Hinckley
10 told Dr. Hopper that the reason he didn't work is because he
11 felt he should get his inheritance, and he was concerned,
12 jealous if you will, of his siblings, brother and sister
13 who did, and we have independent evidence from time long
14 before the shooting, long before Dr. Johnson saw him, long
15 before Dr. Dietz saw him, long before any other doctor saw
16 him, of Mr. Hinckley's concern absence of entitlement and
17 it ties into what happened on March 7 and it ties into what
18 happened on March 24, because those events suggest to you and
19 you can conclude that Mr. Hinckley lost the green anchor that
20 day.

21 That was what Mr. Hinckley lost. Because it is after
22 that that Mr. Hinckley starts to sell things and let's look at
23 that very carefully. Counsel said in March, Mr. Hinckley sold
24 his guitar and typewriter and I believe there is stipulated
25 evidence that he did and he sold his gun, and I think there

1 is stipulated evidence that he did. But he didn't sell his
2 .22, did he? And he didn't sell the ammunition, did he?
3 And he didn't sell his Devastator bullets, did he?

4 Why. Because all along, as Dr. Dietz so thoroughly
5 told you, John Hinckley was thinking about, thinking about,
6 thinking about famous crimes and in particular thinking about
7 assassination.

8 We know as early as December, 1980 Mr. Hinckley, as
9 he tells both Government and defense doctors was thinking of
10 shooting President Reagan.

11 Why then, as I say, we know now why Mr. Hinckley
12 didn't sell is .22. By the way, that .22 is significant also
13 because Mr. Hinckley, with that .22, has a very concealable
14 weapon. It is a little bitty thing. I don't know much about
15 guns. I don't know whether you do either, but a .38 is a bit
16 bigger. This .22 weapon loaded with Devastator bullets is as
17 lethal as anything you can find.

18 You can conclude from all the evidence including
19 the target practice that John Hinckley knew it. He knew it
20 out in Colorado in March 1981 and he knew it when he was
21 target practicing with all the different kinds of bullets.

22 You remember the FBI expert came in and told you
23 these targets of .22 caliber, I think 25, and even .38 caliber
24 bullet holes in them.

25 John Hinckley wanted to do a crime, he wanted to do

1 an assassination and he decided long before March 30 to do it.
2 One other thing Mr. Fuller says he got on a bus and somehow
3 willy-nilly ends up in Washington.

4 The ticket that is in evidence says Washington, D.C.
5 on it. It doesn't say New Haven. It doesn't say mistake.
6 It says Washington, D.C.

7 I am sure Mr. Fuller on that score simply forgot the
8 evidence.

9 THE COURT: Mr. Adelman, I plan to call a midmorning
10 recess within a few minutes. How much more do you have
11 on rebuttal?

12 MR. ADELMAN: I have a half hour or so, maybe more.

13 THE COURT: All right. Ladies and gentlemen, follow
14 the Marshal.

15 (Whereupon, the jury left the courtroom at 11:13 a.m.)

16 THE COURT: Counsel, in anticipation of the jury
17 deliberations I will assume that Miss Flynn has a clear
18 inventory and has in hand the exhibits which have been admitted
19 and you should discuss it with her during the noon recess and
20 clear up any problems that might be present.

21 It is my intention with limited exception to send
22 all the exhibits into the jury during their deliberations.

23 MR. FULLER: May we approach the bench before you
24 adjourn, Your Honor?

25 THE COURT: Yes.

1 (At the Bench:)

2 MR. FULLER: I refrained from objecting in the
3 course of Mr. Adelman's summation.

4 THE COURT: Yes.

5 MR. FULLER: Because I think that it is rarely
6 appropriate to do that. However, he made one statement which
7 I think is grossly inaccurate which I think should be
8 corrected.

9 THE COURT: What is it?

10 MR. FULLER: He said that -- he stated that
11 Dr. Prelinger had indicated that the defendant had the
12 capacity to appreciate the wrongfulness of his act. I call
13 your attention, Your Honor, to page 4422 of the record in
14 which precisely the opposite opinion was expressed by
15 Dr. Prelinger.

16 If I am mistaken, I will withdraw that. I had
17 that impression. I think it is such a gross misstatement.

18 THE COURT: Well, Mr. Fuller, let's see it.

19 MR. FULLER: He agrees that is fine.

20 MR. ADELMAN: I will tell them that.

21 MR. TUCKER: If I can just clarify? A distinction
22 was drawn. Dr. Prelinger said if it was put to him he would
23 have said it was illegal, but because of his feeling problem
24 that he could not appreciate, so on one level he did and
25 one level he didn't.

1 MR. ADELMAN: Your Honor, I will tell you what I
2 will do.

3 THE COURT: What page is it?

4 MR. FULLER: You take my transcript. You have got
5 my transcript. You have my notes.

6 MR. ADELMAN: I will accept Mr. Fuller's correction
7 and if I may, Your Honor, I am going to discuss the subject
8 of appreciation and I will at that point say I stand
9 corrected and enter whatever --

10 MR. FULLER: That is satisfactory.

11 MR. ADELMAN: And enter whatever points Mr. Fuller
12 wants. It is coming up.

13 THE COURT: Gentlemen, may I say this: I have
14 heard several things proffered by each of you during your
15 argument and I said is that in the transcript.

16 I don't recall it that way in the transcript.

17 In any event --

18 MR. FULLER: He agrees. I am satisfied.

19 MR. ADELMAN: Well, we will straighten it out.

20 THE COURT: Yes, very well.

21 (In Open Court:)

22 THE DEPUTY MARSHAL: This Honorable Court stands
23 a 15 minute recess.

24 (Whereupon, the Court was recessed at 11:17 a.m.
25 for a 15-minute recess.)

AFTER RECESS

10:35 a.m.

THE DEPUTY MARSHAL: Remain seated and come to order.

This Honorable Court is again in session.

MR. ADELMAN: Jury members, I have a few more minutes to talk and I want to make very good use of that time.

I want to get to some things that I have to say. And again, again and again they are going to be about March 30, 1981. Again and again they are going to be in sharp contrast to what Mr. Fuller has said about that date.

He told you that Mr. Hinckley was under stress in the month of March 1981. What stresses are these in his parents aren't going to give him money anymore, that he likes Jodie Foster. That is about it. And from that he asks you to conclude, based on some taken-out-of-context information in Dr. Hilkey's psychological tests that Mr. Hinckley, when under stress, will have a psychotic break.

Dr. Johnson said she took all that into account. He didn't have a psychotic break on March 30, 1981, because she talked with him 55 hours to find that out. The tests only prove theories, nothing in fact.

In fact, what happened was Mr. Hinckley spent 17 days in that motel. Mrs. Aucourt didn't see any psychotic break. Reverend Parke spent two and a half days on the bus.

1 No psychotic break. All the proximal witnesses, no evidence
2 there of a psychotic break. I told you how well he shot
3 the gun, how carefully he prepared, how carefully he aimed
4 and how carefully he hit. No evidence there of any psychotic
5 break.

6 This is the difference, this is the point. This is
7 the real critical issue. The defense talks about theory.
8 Theory. Theory.

9 But you are not going to decide this case on theory
10 because the judge will instruct you just the opposite.
11 Decide it on the evidence. And the reasonable inferences
12 or inclusions therefrom and by that is all I've talked about
13 for the last two days and doggone that's all Mr. Fuller
14 didn't talk about.

15 Now, Mr. Fuller says one of the doctors indicated
16 Mr. Hinckley deep down couldn't appreciate the wrongfulness
17 of his conduct. I talked about that and let's me be clear.

18 Dr. Prelinger did say and he did conclude, and I
19 must correct the record here that Dr. Prelinger's view was
20 Mr. Hinckley could not appreciate the wrongfulness of his
21 conduct but Dr. Prelinger said if hypothetically someone had
22 asked him, he would have said it was wrong to do the crime.
23 That is Dr. Prelinger's view.

24 All the other doctors who testified, the
25 Government doctors indicated quite clearly Mr. Hinckley
appreciated the wrongfulness. I certainly don't have to go

1 through all the testimony for you. The rule of law is whether
2 he could appreciate. Period.

3 There is no division, modification, or anything of
4 that sort on the word appreciate. Isn't it clear from the
5 Jodie Foster letter alone, the Jodie letter alone, Mr. Hinckley
6 appreciated the wrongfulness of what he is doing.

7 From all the background, Mr. Hinckley stalking all
8 through the fall and in the winter, Mr. Hinckley target
9 practicing. Doesn't he appreciate all of this is wrong and
10 my goodness, having read about all the assassinations all the
11 way back to J.F.K., didn't he appreciate it is wrong?

12 How can Dr. Prelinger conclude otherwise? How can
13 counsel argue to you otherwise? Who is a man who counsel
14 claims doesn't appreciate deep down the wrongfulness of the
15 crime, who said at this time, "Should I, Should I." That is
16 appreciation. From him.

17 Here is a man who said, "I'm not that desperate.
18 I might go home because of the rain. I'm not that desperate."
19 Doesn't he appreciate the wrongfulness of all that is going
20 on? Here is a man at the time of the crime four days, five
21 days later told Dr. Johnson, remember, like I told you
22 yesterday, "This is the best opportunity I'll have."

23 Without question, that is deep down appreciation
24 of what is wrong about this conduct and that it is wrong.
25 You see, there is no argument here from the defense because

1 there cannot be, there simply can't be.

2 Now, Mr. Fuller said, and remember, I told you
3 earlier in the hour Mr. Fuller said John Hinckley shot
4 President Reagan to impress Jodie Foster. That is flat wrong!

5 Dr. Johnson and Dr. Dietz both testified that
6 Mr. Hinckley had many purposes and I think I have to refer
7 to the transcript to help you out on this.

8 Dr. Johnson said, "Clearly he did it to impress
9 Miss Foster." Also she said, "John had a desire to make his
10 mark in the world, one way or the other."

11 Dr. Dietz said the same thing. He wanted to achieve
12 notoriety and fame.

13 What does all this mean? It means John Hinckley
14 is a narcissistic personality. He wants attention. It
15 doesn't mean he has a serious mental disorder. It does not
16 mean he cannot appreciate wrongfulness of his conduct.

17 It further was said, the testimony was from both
18 doctors, that John Hinckley wanted to prove himself, as she
19 put it, subconsciously. Dr. Dietz said, "This is in reaction
20 to the ultimatum from his parents.

21 "Prove himself." Here is John Hinckley the fifth
22 wheel in that family. John Hinckley, the black sheep. One
23 way or another he is going to make his mark and he decided
24 -he would. We can say that is a dumb way. Being stupid is
25 not a mental disorder. It is not in that book.

1 Doing things for a foolish reason is not a mental
2 disorder. It is just can he appreciate wrongfulness? Can he
3 conform behavior? John Hinckley sure could. John Hinckley
4 sure could.

5 In addition, Dr. Johnson said furthermore, another
6 reason is to get back at all those people who had let him
7 down in the past. Here, his parents again.

8 Dr. Hopper. A rational reason. You may not agree
9 with it, but John Hinckley understood it and more to the
10 point it didn't interfere with his ability to conform his
11 behavior to the requirements of the law or to appreciate the
12 wrongfulness of his conduct.

13 Dr. Dietz said the same thing. So you see, we have
14 many, many reason; many, many goals besides the concern with
15 Jodie Foster.

16 In fact, if you really think about it, it is a
17 secondary reason. It was a secondary reason on March 30
18 when Mr. Hinckley decided later on he would validate.

19 I'm not denying that he had that in his mind. There
20 is no question he had. So what? You see, the question you
21 have to decide is appreciation and conformity. That is the
22 question I spent so much time on with you yesterday.

23 I talked about reasons and reasons and reasons
24 and reasons from the testimony. They are not my own. They
25 are the doctors' reasons, they are the evidence's reasons.

1 They are not mine.

2 I asked Mr. Fuller, through talking to you, to
3 come up and talk to that from his defense side. He didn't do
4 it. He can't do it.

5 You have to draw conclusions from that when you
6 retire and those conclusions are that John Hinckley clearly
7 was responsible for the crimes involved.

8 Mr. Fuller also said parents gave an ultimatum.
9 Get out of the house. This set John Hinckley off. John
10 Hinckley was a hunter, a stalker, before March 7, 1981. He
11 brought a gun to Nashville, to Dayton. He showed up in
12 Washington looking for President Reagan. Hunting and stalking,
13 you see.

14 That is John Hinckley. That is what he was
15 until the time of this crime.

16 Now we are told by Mr. Fuller, in his argument,
17 the victims of this crime are bit players in John Hinckley's
18 troubled mind. I wish the victims were here to hear that,
19 that they are bit payers in this young man's mind. It is
20 not a troubled mind, it is a depressed mind, a sad mind,
21 not a troubled mind.

22 It would be nice if Jim Brady could hear this
23 morning that he is a bit player. It would be nice if Tim
24 McCarthy and Tom Delahanty and President Reagan could hear
25 that they are bit players in John Hinckley's mind.

1 They are not! They weren't! That came from
2 Dr. Carpenter.

3 And it would also be nice, as I said before, very
4 interesting, if Jim Brady were told today the lawyer for
5 John Hinckley said forget about the Devastator bullets.
6 Go ahead Jim Brady. Forget about it! Just imagine! Just
7 imagine!

8 And think of the audacity of that argument. And
9 as long as you deliberate, think of the audacity of that
10 argument.

11 Dr. Johnson, as in so many situations in her case,
12 hit her nail right on the head. And you can recall she said
13 one of the characteristics of John Hinckley's personality
14 was to put the blame on everybody else.

15 And that in talking to him and learning about him,
16 as she did, Mr. Hinckley put the blame for what happened on
17 March 30 on his parents, on the Secret Service for not
18 protecting the President properly. On Dr. Hopper. On
19 Jodie Foster. On "Taxi Driver."

20 Jodie Foster didn't take the Devastator bullets
21 and shoot the victims. The Secret Service didn't shoot
22 Jim Brady. John Hopper didn't shoot anybody.

23 Mr. and Mrs. Hinckley didn't shoot anybody.
24 John Hinckley did. You see. What I'm telling you and what
25 we said and what we have done here in this case, what I'm

1 going to ask you to do when you return guilty verdicts is
2 to recognize through those verdicts the time has come for
3 John Hinckley, Jr., for the first time in his life, to take
4 responsibility for what he has done.

5 John Hinckley, 26 years has avoided responsibility
6 in every corner of his life. But John Hinckley, I say to
7 you, based on this evidence, cannot avoid the responsibility
8 for what he did on March 30, 1981. He can't avoid the
9 responsibility of shooting President Reagan.

10 And he can't avoid the responsibility of shooting
11 Tom Delahanty in the back. And he can't avoid the responsi-
12 bility of shooting Tim McCarthy and goodness, he can't avoid
13 the responsibility of shooting Jim Brady in the head.

End F

14

15

16

17

18

19

20

21

22

23

24

25

OLSEN/GeoK

1 Ladies and gentlemen, I ask you, and I am only a
2 representative of the Government and as the Government repre-
3 sentative I ask you to do this: As in every case we ask you
4 to do justice.

5 If you are tired deliberating, look at the evidence
6 and think about it and I suggest to you that justice in this
7 case, taking into account everything I have said and all the
8 evidence, is for you to return verdicts of guilty on each
9 of the counts of this indictment and for you to find at the
10 same time that John Hinckley is responsible for each of these
11 counts in this indictment, and that John Hinckley for the
12 first time in his life can stand up and be responsible because
13 in this case that is justice.

14 I thank you.

15 THE COURT: Ladies and gentlemen of the jury, after
16 the noon recess you will hear the instructions of law as given
17 by the Court and you may follow the marshals at this time.

18 Do not discuss any portion of the final argument
19 of counsel among yourselves.

20 [The members of the jury departed from the courtroom
21 at 11:49 a.m.]

22 THE COURT: Can you get Marshal Reid?

23 [The Deputy Marshal departed to look for Marshal
24 Reid.]

25 [Marshal Reid entered the courtroom.]

1 [Informal discussion between the Court and Marshal
2 Reid.]

3 THE COURT: Betty?

4 [Informal discussion between the Court and the
5 Deputy Clerk.]

6 THE COURT: Come to the Bench, counsel.

7 [The following bench conference was placed under
8 seal by order of the Court.]

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 [In open Court:]

2 THE DEPUTY MARSHAL: This Honorable Court stands
3 recessed until 2:00 p.m.

4 [Whereupon, at 12:08 p.m. the Court recessed, to
5 reconvene at 1:30 p.m. in chambers and then at 2:00 p.m. in
6 Courtroom No. 19.]

End G

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25